Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
08/10/2020	Operation Safe Streets/Parole Compliance Team 1	[ ]	[ ]

Incident Information

URN: 019-15526-2608-048	Date: 10/23/2019	Time: 0917 hours	
City or Station: Palmdale	Nature of Incident: Parole Compliance Team 1 went to the location to find the suspect who had an outstanding felony warrant. A deputy involved, non-hit shooting occurred.		
Location: [redacted] Jeri Lane, Pamdale			

Location Type (*check one or more*):
- [x] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [x] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other: ______

Lighting (*check only one*):
- [ ] Darkness
- [x] Daylight
- [ ] Other
- [ ] Street Lights

Weather (*circle only one*):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 15 feet & 75 feet

Incident Type (*check one or more*):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [x] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other: ______

Initiated by (*check only one*):
- [x] Arrest Warrant
- [ ] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [x] Other
- [ ] Routine Patrol

Aero Unit? [ ] Canine Unit? [ ]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
2	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
	SEE ATTACHED			[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
SEE ATTACHED				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name	**First Name**	**M.I.**		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	[redacted]	[redacted]		[x] On Duty [x] Present during shooting [ ] Witness to shooting [x] Involved in shooting
[redacted]	Anderson	Philip	E	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Munoz	Gustavo	R

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Gunn	Anthony	L

PSTD Use Only
SH # 2496380

See Reverse

Officer Involved Shooting
Involved Employee Information

URN: 019-15526-2608-048

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Sex: [redacted] Race: [redacted]	Rank: [redacted]	Unit Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): [redacted] EM [redacted] PM [redacted] Day	ShiftType (*circle only one*): [redacted] Regular [redacted] Overtime [redacted] Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☑
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted]	Height: 5'10"	Weight: 230	
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☑ — Number of Prior Shootings: 5 — Directed Force: ☐
Weapons Fired Brand: Beretta — Caliber 9mm — # Shots 1		Weapons Fired Brand: — Caliber — # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name Phillips	First Name James	M.I. E
Sex: M Race: W	Rank: Deputy	Unit Assignment: OSS/PCT1	Work Assignment (Unit #, Module, etc.): 269N13
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting: 7.5	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☑ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: [redacted]	Height: 6'07"	Weight: 235	
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] — Number of Prior Shootings: [redacted] — Directed Force: ☐
Weapons Fired Brand: Smith & Wesson — Caliber 9mm — # Shots 1		Weapons Fired Brand: — Caliber — # Shots	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age:	Height:	Weight:	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand: — Caliber — # Shots		Weapons Fired Brand: — Caliber — # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 019-15526-2608-048

Suspect Information

S 1

Last Name: McClure		First Name: Brandon	M.I. C
AKA Last Name		First Name	M.I.
Sex: M Race: W	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone: Unknown	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 29 D.O.B. 01/08/1990	Height: 601 Weight: 190	FBI # [redacted]	CII # [redacted]
Booking # 5780899	Primary Charge: 664/215(a)PC	Secondary Charge: 245(d)(1)PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make Model:	Year:	Parole: [redacted] Probation: [redacted]	Prior Felony Conviction: [redacted]

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

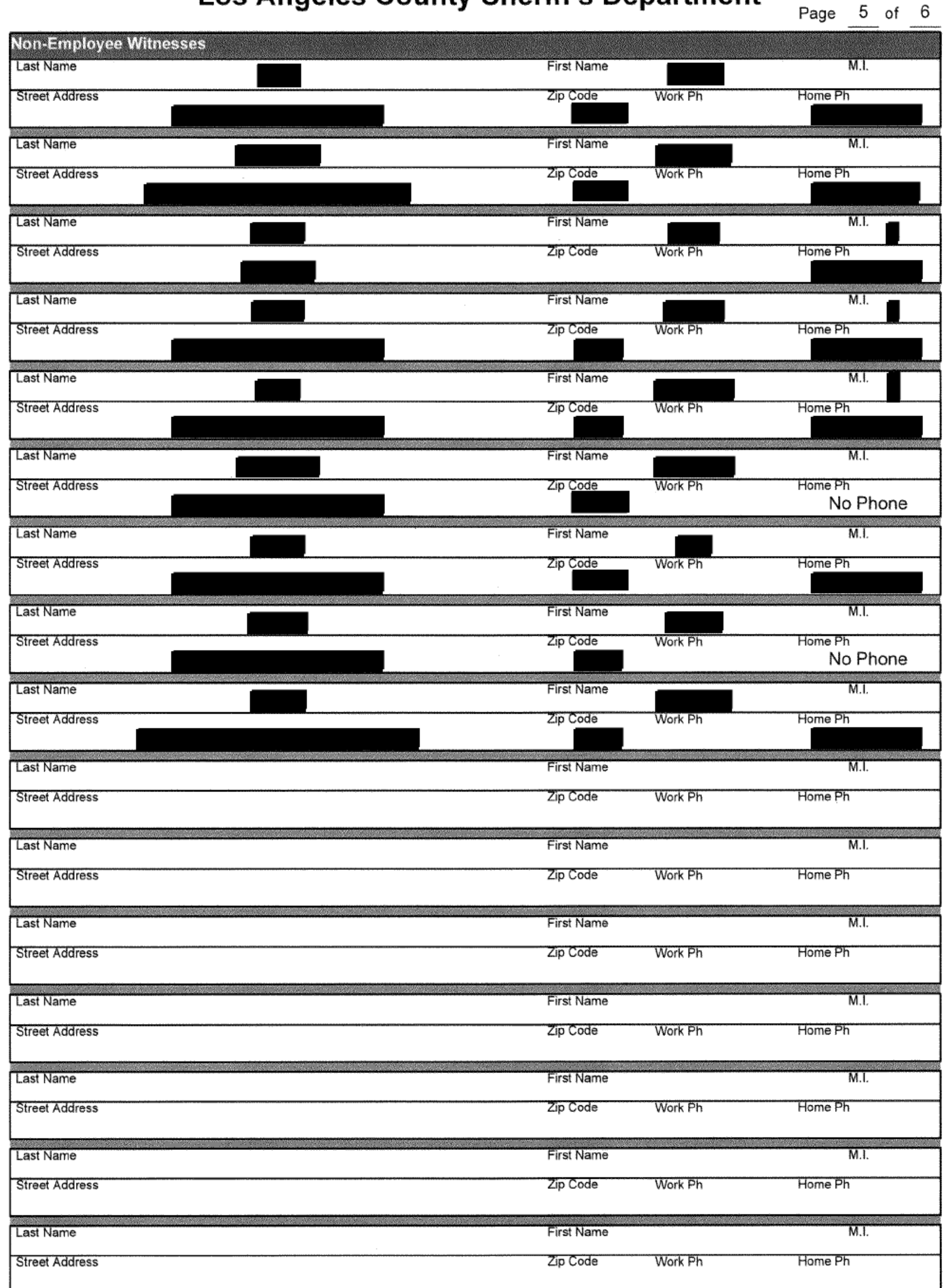
Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted] # [redacted]	[redacted]	N	301 South Central Avenue, Los Angeles	90013	323-981-6050	
[redacted] # [redacted]	[redacted]	N	750 East Avenue Q, Palmdale	93550	661-272-2400	
Vargas # [redacted]	Agustin	Jr.	750 East Avenue Q, Palmdale	93550	661-272-2400	
Macias # [redacted]	Beatriz	NMN	750 East Avenue Q, Palmdale	93550	661-272-2400	
Rosales # [redacted]	Carlos	NMN	301 South Central Avenue, Los Angeles	90013	323-981-5300	
[redacted] # [redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Frias # [redacted]	Gabriel	N	301 South Central Avenue, Los Angeles	90013	323-981-6050	
Dingman # [redacted]	Kyle	T	750 East Avenue Q, Palmdale	93550	661-272-2400	
Gomez # [redacted]	Randy	P	301 South Central Avenue, Los Angeles	90013	323-981-6050	
Anderson # [redacted]	Philip	E	750 East Avenue Q, Palmdale	93550	661-272-2400	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department



Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]			[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		No Phone
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		No Phone
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10/23/2019	1230 hours	08/03/2020	

Employee #	Last Name	First Name	M.I.
473768	Arnold	Layne	B
432033	Chapman	Scott	D
499028	Maxwell	Michael	L

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	SR	22			NN	
E#1	S#1	FH	BR	9	Y	Y	NN	
S#1	E#2	FH	SR	22			NN	
E#2	S#1	FH	SW	9	Y	Y	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**DEPUTY INVOLVED, NON-HIT SHOOTING / USE OF FORCE**
DATE/TIME:	**OCTOBER 23, 2019, 0915 HOURS**
IAB #:	**SH2496380/FO2496382**
URN #:	**019-15526-2608-048**
LOCATION:	**[redacted] JERI LANE, PALMDALE, CA 93550**

SYNOPSIS

On October 23, 2019, an Internal Affairs Bureau (IAB) Force and Shooting Rollout Team, comprised of Acting Lieutenant, Sergeant Michael Maxwell, and Sergeants Scott Chapman and Layne Arnold, responded to Palmdale Station regarding an on duty, non-hit shooting, foot pursuit, and use of force incident. The involved employees were assigned to Parolee Compliance Team 1 (PCT-1), under Operation Safe Streets Bureau (OSS), and Palmdale Station patrol.

IAB Note: **The Parole Compliance Team was a surveillance team tasked with arresting wanted parolees who are absconding from parole. The team operated with team members in [redacted] for surveillance, and uniformed deputies designated as contact deputies.**

IAB Sergeant Maxwell verified that the Palmdale Station Watch Commander, Lieutenant Anthony Gunn, #[redacted], took reasonable steps to ensure the involved personnel and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Sergeant Maxwell also ensured Lieutenant Gunn knew the involved personnel and witness personnel should not collectively consult with their representative. Additionally, IAB Sergeant Maxwell confirmed Lieutenant Gunn ensured to have all involved and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.

Detectives, Adam Hilzendeger, #[redacted], and Aaron Gutierrez, #[redacted], from Palmdale Station OSS arrived and assumed control of the criminal investigation. They were assisted by Lancaster OSS Detectives Jeremi Edwards, #[redacted], and [redacted], #[redacted]. For further information, refer to their supplemental reports under file number 019-15526-2608-048 **[EXHIBIT A]**.

SUMMARY

On October 17, 2019, Deputy [redacted], a member of PCT-1, received information that Suspect Brandon McClure (Suspect McClure) was wanted for a felony parole violation warrant. Suspect McClure had been on parole for bringing drugs into a jail or prison. After confirming Suspect McClure was a wanted parolee at large, Deputy [redacted] obtained a cellular telephone number for Suspect McClure and subsequently authored a [redacted] search warrant **[EXHIBIT B]**.

On October 18, 2019, the search warrant was signed by Judge Jerry Micon from the Santa Clarita Valley Courthouse. The search warrant was submitted to LA CLEAR, who monitored the [redacted] and provided the [redacted] information back to Deputy Viger's via email.

> **IAB Note: LA Clear is the Los Angeles Regional Criminal Information Clearinghouse. They are a joint-agency, investigative intelligence, support initiative task force.**

Later that day, [redacted] information was received by Deputy [redacted] identifying the area of 25th Street East and Avenue R, in Palmdale. Deputy [redacted] authored an operations plan and search warrant preparation checklist **[EXHIBIT C]** to conduct surveillance in that area.

On Wednesday, October 23, 2019, at approximately 0400 hours, Deputy [redacted] received [redacted] information identifying the address of [redacted] Jeri Lane, Palmdale.

Deputy [redacted] learned the residence was well known by Palmdale Station deputies for gang and drug activity. A work-up of the location was completed, which included a risk assessment and a review of Suspect McClure's criminal history, via the Consolidated Criminal History Reporting System (CCHRS) **[EXHIBIT D]**.

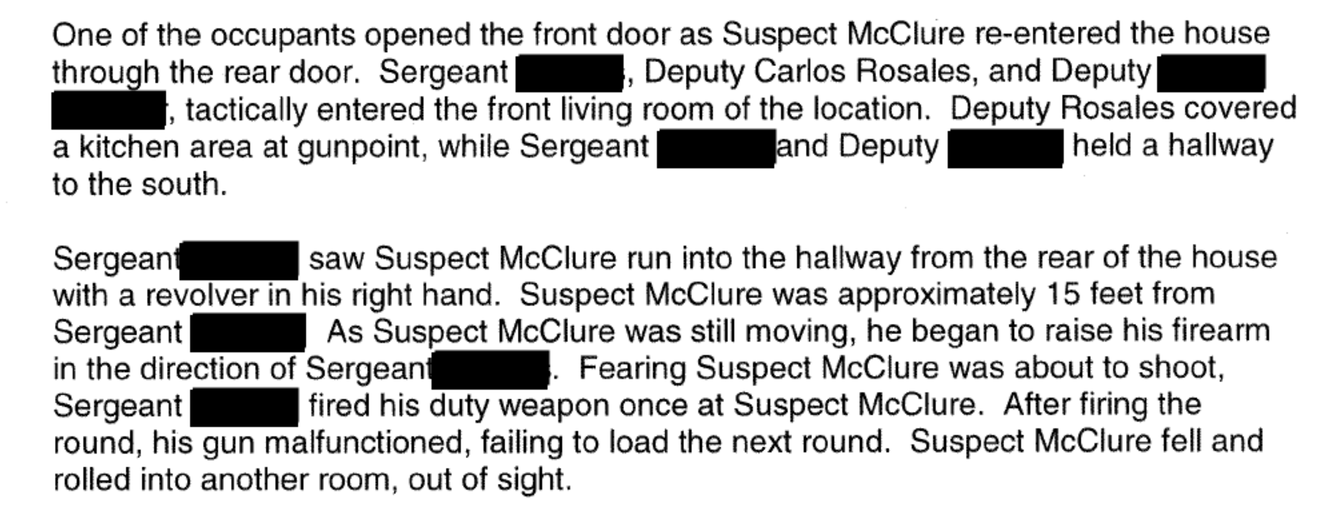
Sergeant [redacted], the PCT-1 sergeant, and Deputy [redacted] held a comprehensive briefing with the PCT-1, and two, two-man Palmdale patrol units, who would assist in the operation. The plan was to put one [redacted] deputy (Deputy Gabriel Frias) on the target location street in an attempt to get visual confirmation of Suspect McClure. Once they had visual confirmation, the Palmdale patrol deputies were instructed to position themselves in an adjacent yard to the rear of the target location. The PCT-1 deputies were to approach the location with several deputies for front containment and other deputies for contact at the front door, along with Sergeant [redacted]. It was specified that

radio frequency SCC (Sheriff's Communication Center) Access Direct, would be the operational radio frequency for the operation.

IAB Note: **According to PCT-1 members, the "direct" radio frequency is used for car-to-car communication, bypassing the radio repeater. PCT-1 would commonly use SCC Access Direct when conducting operations in the north county areas, as other tactical frequencies did not maintain good reception and were difficult to hear. In an emergent situation, the radio could easily be switched back to repeat mode, to have direct contact with SCC. SCC could then patch the emergent radio traffic into the regular dispatch channel for the station area, where the operation was being conducted. Due to the fact "direct" communication is not utilizing the radio repeater, radio traffic is not heard or recorded by SCC.**

After a short time of surveilling the location, Deputy Frias observed Suspect McClure exit the residence. He stood in the front yard for a few minutes, then went back inside. Deputy Frias notified the team of his observation. Palmdale patrol units set up to the rear as directed, and PCT-1 drove south on Jeri Lane toward the location. To document the initial contact, Sergeant [redacted] turned on his audio recorder as the team was approaching the location. The audio recording is included in this case as **[EXHIBIT E]**.

As the team arrived at the front door, they heard commotion coming from inside the location. Deputy James Phillips was on the southwest corner of the residence, with a view of the south portion of the backyard. He saw Suspect McClure (recognized by obvious tattoos on his face) enter the back yard. Suspect McClure looked directly at him and grabbed the handle of a gun, which was under his shirt, in his waistband. Deputy Phillips ordered Suspect McClure to show his hands. Suspect McClure ran north in the backyard and Deputy Phillips lost sight of him. Deputy Phillips broadcast on SCC Access Direct that Suspect McClure ran north in the rear yard.



One of the occupants opened the front door as Suspect McClure re-entered the house through the rear door. Sergeant [redacted], Deputy Carlos Rosales, and Deputy [redacted] [redacted], tactically entered the front living room of the location. Deputy Rosales covered a kitchen area at gunpoint, while Sergeant [redacted] and Deputy [redacted] held a hallway to the south.

Sergeant [redacted] saw Suspect McClure run into the hallway from the rear of the house with a revolver in his right hand. Suspect McClure was approximately 15 feet from Sergeant [redacted] As Suspect McClure was still moving, he began to raise his firearm in the direction of Sergeant [redacted]. Fearing Suspect McClure was about to shoot, Sergeant [redacted] fired his duty weapon once at Suspect McClure. After firing the round, his gun malfunctioned, failing to load the next round. Suspect McClure fell and rolled into another room, out of sight.

IAB Note: **The fired round missed Suspect McClure and penetrated a wall at the south end of the hallway. The round travelled through the wall, through a bedroom, and lodged into a window-mounted air conditioning unit on the south end of the residence.**

Sergeant [redacted] corrected the weapon malfunction and the deputies began giving Suspect McClure verbal orders to surrender. Sergeant [redacted] broadcasted on SCC Access Direct that the team had just been involved in a shooting.

Suspect McClure continued to be uncooperative, yelling at them from the room he occupied. Then, he darted across the hallway toward the rear of the residence and out of view of the deputies. Sergeant [redacted] broadcast on SCC Access Direct the suspect ran toward the back of the house and was armed. Sergeant [redacted] directed the team out of the location, because he did not know where Suspect McClure had gone. He began to treat the situation as a barricaded suspect scenario. Sergeant [redacted] communicated on SCC Access Direct that the team was backing out.

Suspect McClure ran out of the house and into the backyard, where the rear containment deputies observed him. Suspect McClure jumped over a wall to the southeast, into an adjacent yard which was not covered by deputies. Deputy [redacted] fired his Taser at Suspect McClure as he jumped into the adjacent yard, but he missed. Deputy Kyle Dingman broadcasted emergency radio traffic over the SCC Access channel that a deputy involved shooting had occurred and the armed suspect was running from the location **[EXHIBIT F, SCC Access at 12:40]**. Deputy Dingman then began setting up a containment.

Suspect McClure continued to run south, jumping fences, and moving yard to yard. Deputy Phillips, although unable to see Suspect McClure, ran south on Jeri Lane in an attempt to contain him. As Deputy Phillips arrived at the end of the cul-de-sac, he entered the rear yard of, [redacted]. He looked over a fence to the east, into the backyard of [redacted], and saw Suspect McClure jump the fence from the north. Suspect McClure crouched when he landed and looked directly at Deputy Phillips while reaching toward his waistband. Having previously seen Suspect McClure grab the handle of a gun in his waistband, Deputy Phillips feared he was going to arm himself and shoot him. Deputy Phillips fired one round from his duty weapon at Suspect McClure.

IAB Note: **The fired round missed Suspect McClure and travelled through a wooden fence, lodging into a wooden fence post.**

Deputy Phillips broadcasted over the radio he had been involved in a shooting; however, his transmission was likely broadcast on SCC Access Direct, as it was not recorded. Suspect McClure fled east over a fence, into the front yard of [redacted]. Palmdale Station Deputies [redacted] Vargas, and Macias saw Suspect

McClure and engaged in a foot pursuit. Deputy Phillips repositioned himself in the backyard of [redacted], which was directly adjacent to Avenue R. Deputy Vargas broadcasted they were in foot pursuit; however, due to other radio traffic, his transmission was partially cut off **[EXHIBIT F, Dispatch 15 at 1:40]**.

IAB Note: **IAB investigators reviewed the radio traffic for the incident. On Dispatch 15 at 1:31 [EXHIBIT F], Deputy Dingman can be heard setting up a containment and the transmission becomes filled with static. The SCC dispatcher advised numerous units were transmitting, then immediately following, at 1:40 Deputy Vargas can be heard updating the suspect's location during his reported foot pursuit.**

They chased Suspect McClure to the corner of 26th Street East and Avenue R. Suspect McClure continued running south across Avenue R, where Deputy [redacted] followed. Deputies Vargas and Macias did not cross Avenue R, and paralleled Suspect McClure on the north side of Avenue R. Suspect McClure then ran west along the south curb line of Avenue R with Deputy [redacted] approximately 10 feet behind him. Deputy Phillips joined in the foot pursuit mid-block between 26th Street East and 25th Street East, after exiting the back yard of [redacted]. He also ran along the north curb line of Avenue R, paralleling Deputy [redacted]

As Deputy [redacted] and Suspect McClure approached 25th Street East, Deputy [redacted] ordered Suspect McClure to stop and fired his Taser at him, although the Taser darts missed.

As Suspect McClure approached the intersection of Avenue R and 25th Street East, he began to run in a northwest direction. In the intersection, Suspect McClure approached a vehicle which was stopped in the left turn lane. The vehicle was being driven by Witness [redacted]. The vehicle was facing south on 25th Street East and was poised to make an eastbound turn onto Avenue R. Suspect McClure opened the right front passenger door and got into the vehicle. Suspect McClure told Witness [redacted] to drive away. Deputy [redacted] was within 5 feet when Suspect McClure entered Witness [redacted]' vehicle. Deputy [redacted] noticed Deputy Vargas and Deputy Macias were at the northeast corner of the intersection at that time.

IAB Note: **This was the terminus of the foot pursuit. IAB investigators used the web-based "Google Maps" application to map the foot pursuit. The results estimated Deputy [redacted] chased Suspect McClure for approximately 659 feet and the foot pursuit lasted approximately 66 seconds. Deputies Macias and Vargas chased Suspect McClure for approximately 532 feet. Deputy Phillips chased Suspect McClure for approximately 247 feet. See Foot Pursuit Evaluation Form and foot pursuit maps [Foot Pursuit Evaluation Form and Map].**

Deputy [redacted] saw Suspect McClure manipulating the gear selector of the vehicle and pushing on the driver's right knee in an attempt to operate the accelerator. Deputy [redacted] tried to open the front passenger door, but Suspect McClure pulled on the door from inside to prevent it from opening. Deputy [redacted] then forcibly pulled the door open. He gave Suspect McClure orders to exit the vehicle, but he did not comply. Deputy [redacted] grabbed Suspect McClure's right arm with his right hand on Suspect McClure's wrist, and his left hand under Suspect McClure's tricep. Deputy [redacted] pulled Suspect McClure; however, he resisted exiting the vehicle.

Assisting deputies arrived on the driver's side of the vehicle. Deputy Vargas assisted the driver from the vehicle as Deputy [redacted] deployed his Taser, firing at Suspect McClure. The Taser darts struck Suspect McClure on the left side of his chest. The Taser was effective and Suspect McClure went limp, which gave Deputy [redacted] the opportunity to pull him from the vehicle. Suspect McClure landed chest down on the ground and began to flail his arms and legs. Deputy [redacted] maintained control of Suspect McClure's right arm; however, Suspect McClure kept his left arm under his body.

Deputy Phillips, seeing Suspect McClure's left arm under his body, feared he was reaching for a gun in his waistband. Suspect McClure was also trying to get up off the ground while yelling. Deputy Phillips placed his left foot on Suspect McClure's upper shoulders and lower neck to hold him to the ground. He kicked Suspect McClure 3 to 5 times in the left rib-cage with his right foot to gain compliance and to prevent Suspect McClure from arming himself.

Deputy [redacted] arrived and saw Suspect McClure on the ground and deputies attempting to control his arms. Suspect McClure thrashed his legs up and down, appearing to attempt to get away. Deputy [redacted] attempted to gain control of Suspect McClure's left hand which was tucked under his body. He ordered Suspect McClure to surrender his left hand, but he would not release it. Deputy [redacted] struck Suspect McClure twice with his right fist on Suspect McClure's left ribcage. Suspect McClure then released his left arm and Deputies Vargas, [redacted], and Macias were able to handcuff him with the use of control holds.

Los Angeles County Fire Department personnel arrived on scene and medically treated Suspect McClure. Suspect McClure was transported to Palmdale Regional Hospital for medical evaluation and authorization to book.

The incident was documented under Uniform Report Number (URN) 019-15526-2608-048 **[EXHIBIT A]**.

The investigation led to a .22 caliber revolver pistol, being recovered in the backyard of the target location.

INVOLVED PERSONNEL



[redacted], [redacted], #[redacted]
[redacted]

Work History



Date of Employment: [redacted]
Date Assigned to Unit: [redacted]
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]
Prior Shooting Incidents: 5

Equipment Worn On Person

Long sleeve "Class B" uniform with Sheriff's Department patches on both shoulders, sergeant stripes, cloth badge, cloth nametag, Level III ballistic helmet, Level IIIA entry vest, green BDU pants, and black boots.

- Handgun: Beretta 92FS Vertec (personally owned), 9 millimeter, semiautomatic pistol, with pistol light and pressure activation switch.
- Drop leg hostler
- (4) Magazines with live ammunition
- Handcuffs (two pair)
- Handheld portable radio with three wire radio microphone
- Audio Recorder

James E. Phillips, Deputy, #[redacted]
Operation Safe Streets Bureau
Parole Compliance Team 1

Work History

Date of Employment: October 1, 1998
Date Assigned to Unit: April 27, 2014
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents:
Prior Shooting Incidents:

Equipment Worn On Person

Plain clothes with Sheriff's Department tactical vest. The tactical vest included Sheriff's Department patches and insignias.

- Handgun: Smith & Wesson M&P 2.0 (personally owned), 9 millimeter, semiautomatic pistol, with pistol light and pressure activation switch.
- (4) Magazines with live ammunition
- Handcuffs (four pair)
- Handheld portable radio with earpiece and microphone
- Oleoresin Capsicum Pepper Spray
- Drop down duty weapon holster
- Taser
- Tourniquet

[redacted], Deputy, [redacted]
Operation Safe Streets Bureau
Parole Compliance Team 1

Work History

Date of Employment: May 15, 2006
Date Assigned to Unit: July 2, 2017
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]
Prior Shooting Incidents: [redacted]



Equipment Worn On Person

Plain clothes with Sheriff's Department tactical vest. The tactical vest included Sheriff's Department patches and insignias.

- Handgun: Smith & Wesson M&P, 9 millimeter, semiautomatic pistol, with pistol mounted light.
- (4) Magazines with live ammunition
- Drop holster
- Handcuffs (2 pair)
- Oleoresin Capsicum Pepper Spray
- Tourniquet
- Handheld portable radio

[redacted], Deputy, #[redacted]
North Patrol Division
Palmdale Station

Work History

Date of Employment:	August 25, 2016
Date Assigned to Unit:	July 14, 2019
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	[redacted]
Prior Shooting Incidents:	[redacted]

Equipment Worn On Person

Short sleeve "Class A" uniform with Sheriff's Department patches on both shoulders and a metal badge, nametag, bullet resistant vest, plate carrier, green pants, and black boots.

- Handgun: Smith & Wesson M&P, 9 millimeter, semiautomatic pistol.
- (3) AR-15 Magazines with live ammunition
- (5) Duty Magazines with live ammunition
- Oleoresin Capsicum Pepper Spray
- Handcuffs (2 pair)
- "ASP" Expandable Baton
- Handheld portable radio
- Tourniquet
- Medical pouch
- Taser on drop holster

Agustin Vargas Jr., Deputy, #[redacted] 
North Patrol Division
Palmdale Station

Work History

Date of Employment:	January 28, 2016
Date Assigned to Unit:	August 18, 2019
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	[redacted]
Prior Shooting Incidents:	[redacted]

Equipment Worn On Person

Short sleeve "Class A" uniform with Sheriff's Department patches on both shoulders and a metal badge, nametag, bullet resistant vest, plate carrier, green pants, and black boots.

- Handgun: Smith & Wesson M&P, 9 millimeter, semiautomatic pistol.
- (2) Magazines with live ammunition
- "ASP" Expandable Baton
- Oleoresin Capsicum Pepper Spray
- Handcuffs (2 pair)
- Flashlight
- Handheld portable radio
- Tourniquet
- Taser on drop holster

Beatriz Macias, Deputy, #[redacted] 
North Patrol Division
Palmdale Station

Work History

Date of Employment:	September 14, 2005
Date Assigned to Unit:	July 27, 2014
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	
Prior Shooting Incidents:	

Equipment Worn On Person

Short sleeve "Class A" uniform with Sheriff's Department patches on both shoulders and a metal badge, nametag, bullet resistant vest, plate carrier, green pants, and black boots.

- Handgun: Beretta 92FS, 9 millimeter, semiautomatic pistol.
- (4) Magazines with live ammunition
- Oleoresin Capsicum Pepper Spray
- Tourniquet
- Handcuffs (3 pair)
- "ASP" expandable baton
- Handheld portable radio

SUSPECT INFORMATION

Brandon Christopher McClure
Male White, DOB 01/08/1990 (29 years old), 602/180
[redacted]
CII # [redacted], FBI # [redacted], MAIN # [redacted]

The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect McClure [redacted] **[EXHIBIT D]**.

INJURIES

Suspect McClure was not injured as a result of the shooting. He sustained injuries as a result of the use of force which occurred at the terminus of the foot pursuit.

Suspect McClure sustained bruising and abrasions on his right ear, an abrasion on his left cheek, redness on his right shoulder, abrasions on both elbows, a scratch on his left wrist, an abrasion on his right shin, and two Taser dart puncture wounds on his left chest/rib area. He complained of pain to his ribs and said he was hurting all over. He was treated by Doctor Vincent Bennett, M.D. For further information refer to the compact disc containing photographs of Suspect McClure's injuries, and medical records **[EXHIBIT H]**.

No deputies were injured during the incident.

PHYSICAL EVIDENCE

All physical evidence was located by OSS Detectives. All physical evidence was photographed, documented, and collected by Scientific Services Bureau Forensic Identification Specialists Jackie Thompson, # [redacted], Scott Purcell, # [redacted], and Susannah Baker, # [redacted]. For descriptions of the type and location of evidence collected, see Scientific Services Bureau, Crime Scene Investigation Report **[EXHIBIT I]**.

INVESTIGATORS OBSERVATIONS

Approximately 3 hours transpired from the time of the shooting, to IAB Investigator's observations.

The scenes were described by OSS Detectives Aaron Gutierrez and Adam Hilzendeger in supplemental reports **[EXHIBIT A]**. Their description of the scenes were consistent with IAB Investigators observations. The scenes were also photographed by the aforementioned Sheriff's Scientific Services Bureau personnel **[EXHIBIT J]**.

WEAPON USED BY SERGEANT [redacted]

Sergeant [redacted] fired one round of Department issued 9 millimeter ammunition from his personally owned, Beretta 92FS Vertec (serial# BE[redacted]), semiautomatic pistol. Scientific Services Bureau personnel recovered one spent casing and one expended round from the area of Sergeant [redacted] shooting scene.

On October 23, 2019, at 1757 hours, IAB investigators conducted a round count of Sergeant [redacted] duty weapon. The round count was audio recorded and transcribed; Refer to CD containing interviews and transcripts.

Sergeant [redacted]' weapon contained one unexpended round (bullet) in the chamber and 13 unexpended rounds in the magazine (15 round capacity). He also carried two, 15 round magazines on his duty belt, and two, 15 round magazines on his tactical vest.

On October 30, 2019, when interviewed by IAB investigators, Sergeant [redacted] explained when he loaded his weapon, he filled the magazine to capacity (15 rounds), inserted the magazine into the weapon, and chambered a round giving him 15 total rounds in his duty weapon.

The firearm was examined by Firearms Examiner, Senior Criminalist Steve Shiraishi, #[redacted], of the Scientific Services Bureau Firearms Identification Section, who found it to be functional **[EXHIBIT K].**

Date last qualified: [redacted]
Date last trained with weapon:

WEAPON USED BY DEPUTY PHILLIPS

Deputy Phillips fired one round of Department issued 9 millimeter ammunition from his personally owned, Smith & Wesson M&P 2.0 (serial# NCP[redacted]), semiautomatic pistol. Scientific Services Bureau personnel recovered one spent shell casing and one expended round from the area of Deputy Phillips' shooting scene.

On October 23, 2019, at 1737 hours, IAB investigators conducted a round count of Deputy Phillips' duty weapon. The round count was audio recorded and transcribed; Refer to CD containing interviews and transcripts.

Deputy Phillips' weapon contained one unexpended round (bullet) in the chamber and 16 unexpended rounds in the magazine (17 round capacity). He also carried two, 17 round magazines on his duty belt and two, 17 round magazines on his tactical vest.

The firearm was examined by Firearms Examiner, Senior Criminalist Steve Shiraishi, #[redacted], of the Scientific Services Bureau Firearms Identification Section, who found it to be functional **[EXHIBIT K]**.

Date last qualified: [redacted]
Date last trained with weapon:

WEAPON USED BY SUSPECT MCCLURE

A "Sturm, Ruger & Co.," Single Six, .22 caliber revolver pistol, serial #[redacted] was recovered from the backyard of [redacted] Jeri Lane. The pistol contained six live .22 special caliber cartridges.

An Automated Firearms System search **[EXHIBIT A]** was conducted on the firearm. The return revealed a Dealer Report of Sale from May 1970, with purchaser information of [redacted], with an address of "[redacted]." The address on record did not provide a city of residence. OSS Detectives were unable to locate the rightful owner of the weapon.

PROPERTY DAMAGE:

At [redacted] Jeri Lane, Palmdale, there was damage to a hallway/bedroom wall which sustained a bullet hole, and the same bullet struck a window-mounted air conditioning unit where it lodged.

At [redacted], there was damage to a wooden fence which sustained a bullet hole. There was also damage to a fence post at [redacted], where the same bullet struck and was lodged.

CRIMINAL INVESTIGATION AND CHARGES FILED:

OSS Detective, Adam Hilzendeger presented the case to Deputy District Attorney (DDA), Robert Sherwood on October 25, 2019. DDA Sherwood filed 3 felony counts under case #MA077524 **[EXHIBIT L]**. The charges filed were as follows:

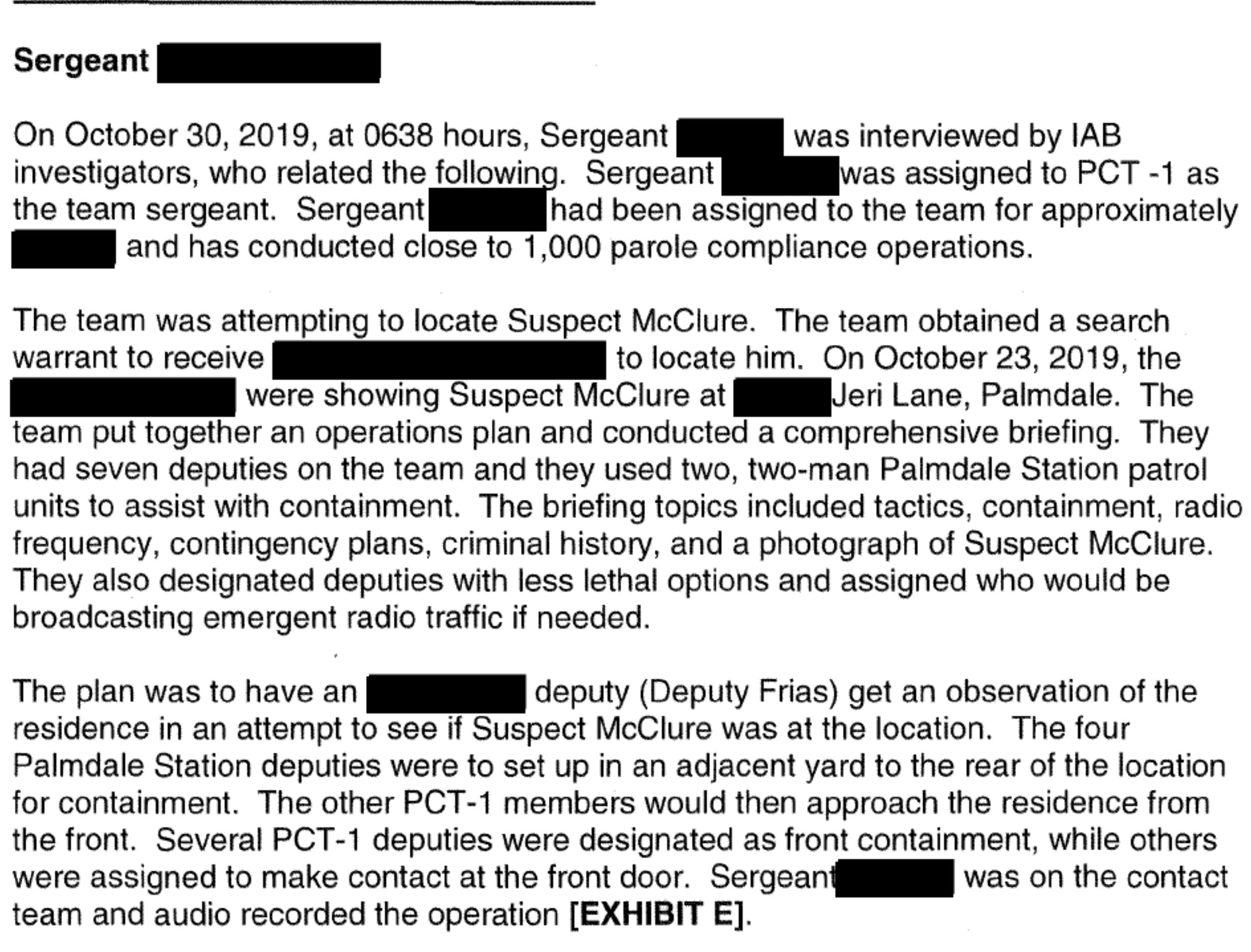
- 1 count of Assault with a Firearm Upon a Peace Officer – 245(d)(1) PC
- 1 count of Attempted Taking a Vehicle Without Consent – 664/10851(a) VC
- 1 count of Possession of a Firearm by a Felon – 29800(a)(1) PC

Suspect McClure's next court date is September 16, 2020, for a pretrial hearing.

LIGHTING AND WEATHER CONDITIONS:

The shooting occurred at approximately 0915 hours. The weather was warm and dry. The area were the shooting occurred inside [redacted] Jeri Lane, was dimly lit with ambient daylight from the living room windows. The area of the shooting at [redacted], was bright from the daylight, except where large trees shaded the side of the residence. The shaded areas were lit with ambient sunlight.

The following interviews were recorded and transcribed. For more information and precise wording, refer to the CD containing the verbatim interview transcripts and audio recorded interviews. The following narratives contain summaries of the interviews:



INVOLVED EMPLOYEE STATEMENTS:

Sergeant [redacted]

On October 30, 2019, at 0638 hours, Sergeant [redacted] was interviewed by IAB investigators, who related the following. Sergeant [redacted] was assigned to PCT -1 as the team sergeant. Sergeant [redacted] had been assigned to the team for approximately [redacted] and has conducted close to 1,000 parole compliance operations.

The team was attempting to locate Suspect McClure. The team obtained a search warrant to receive [redacted] to locate him. On October 23, 2019, the [redacted] were showing Suspect McClure at [redacted] Jeri Lane, Palmdale. The team put together an operations plan and conducted a comprehensive briefing. They had seven deputies on the team and they used two, two-man Palmdale Station patrol units to assist with containment. The briefing topics included tactics, containment, radio frequency, contingency plans, criminal history, and a photograph of Suspect McClure. They also designated deputies with less lethal options and assigned who would be broadcasting emergent radio traffic if needed.

The plan was to have an [redacted] deputy (Deputy Frias) get an observation of the residence in an attempt to see if Suspect McClure was at the location. The four Palmdale Station deputies were to set up in an adjacent yard to the rear of the location for containment. The other PCT-1 members would then approach the residence from the front. Several PCT-1 deputies were designated as front containment, while others were assigned to make contact at the front door. Sergeant [redacted] was on the contact team and audio recorded the operation **[EXHIBIT E]**.

After approximately 40 minutes of observing the residence, Deputy Frias saw Suspect McClure exit the house and then walk back inside. Suspect McClure was distinctive in appearance, as he had tattoos on his face and neck. The four Palmdale Station deputies set up to the rear and the team began to make their approach. The location was on a cul-de-sac and the team obtained prior intelligence the residence possibly had video cameras pointing to the north, which was the only way to approach the house. Normally, the team would park several houses away and make an approach on foot; however, based on the fact they might be seen on camera, they made the decision to drive up quickly and park directly in front of the house to get to the front door quicker.

IAB Note: Investigation found a camera did exist; however, it was unknown if the camera was functional. Additionally, there was no recording device found in the residence.

As they approached the front door, Sergeant [redacted] heard someone yell, "The cops are here." "The cops are outside." The team arrived at the front door and made an announcement, "Sheriff's Department, parole search, open the door." Sergeant [redacted] heard scurrying and running from inside the house, then an occupant opened the door.

They ordered the person (Witness [redacted]) to step out of the house and he complied. From the doorway, Sergeant [redacted] announced over the radio (SCC Access Direct) that he heard someone run toward the back of the residence. He also heard Deputy Phillips announce the suspect was in the backyard. Sergeant [redacted], Deputy Rosales, and Deputy [redacted] entered the front living room. Directly adjacent to the living room was a kitchen and a long hallway. Deputy Rosales covered the kitchen while Sergeant [redacted] and Deputy [redacted] covered the hallway. Sergeant [redacted] described the hallway as approximately 15 feet long. After the initial scurrying and running, the inside of the house was quiet.

As Sergeant [redacted] was looking down the hallway, he heard quick footsteps and then Suspect McClure appeared in the hallway. Sergeant [redacted] saw Suspect McClure had a black revolver in his right hand. Upon making eye contact, Suspect McClure began to raise his weapon toward Sergeant [redacted].

Believing Suspect McClure was about to fire his weapon, Sergeant [redacted] fired one round at Suspect McClure, aiming at center mass. Sergeant [redacted] pulled the trigger again and realized his weapon had malfunctioned and did not properly load the next round. He cleared his weapon, came back up on target, and covered down the hallway.

Suspect McClure, who was approximately 15 feet away, buckled at his knees, and fell into a room at the end of the hallway, out of view. The backdrop of the shooting was a wall at the end of the hallway. Sergeant [redacted] described the hallway as dimly lit, but he could see clearly without the assistance of a flashlight. He also believed his gun mounted light was illuminated at the time of the shooting.

Sergeant [redacted] then heard Suspect McClure yelling, but he could not recall what he was saying. He also heard a woman scream. Sergeant [redacted] and the other deputies yelled at Suspect McClure to come out and to show his hands. They also ordered the woman (Witness [redacted]), who was in the same room as Suspect McClure, to crawl towards them. She complied and exited toward the deputies. As Witness [redacted] was exiting, Sergeant [redacted] announced on SCC Access Direct, they had been involved in a shooting. His intent was to let the containment deputies know what was happening inside the residence.

The deputies continued to yell orders to Suspect McClure to surrender. Suspect McClure partially stuck his head out from the room and yelled profanities, asking why they shot at him. They ordered Suspect McClure to show his hands and he placed one hand at a time into view. Sergeant [redacted] believed Suspect McClure was not showing both hands at the same time because he still had possession of the gun. Suspect

McClure then suddenly darted from the room toward the back of the house. Sergeant [redacted] saw Suspect McClure still had the gun in his right hand.

Sergeant [redacted] radioed to the containment deputies on SCC Access Direct that the suspect ran towards the rear of the house and was armed with a gun. Sergeant [redacted] ordered the deputies to back out of the residence and to treat it as a barricaded suspect situation, because he did not know if Suspect McClure exited the house or remained inside. He radioed to the containment deputies on SCC Access Direct that they were backing out. As they backed out of the residence, he heard Deputy Dingman broadcast emergent radio traffic. Deputy Dingman asked for the "patch," and to be linked in with Palmdale Station, as planned in the briefing.

> **IAB Note: The duplex "patch" is activated by Sheriff's Communication Center (SCC) dispatchers upon the broadcasted radio request of units involved in emergent incidents. The activation enables all units monitoring the dispatch (or station frequency) to communicate with both the requesting unit and other units. The "patch" would also be recorded by SCC.**

Deputy Dingman broadcast an armed suspect was running from the location, then he began setting up a containment. As the entry deputies backed out to the driveway, Sergeant [redacted] heard another gunshot, which came from the south. He then heard Deputy Phillips announce over the radio that he had been in a shooting and the suspect was running. Sergeant [redacted] believed this radio traffic was broadcast on the patch; however, he did not know if Deputy Phillips had switched his radio to the repeat mode.

The entry deputies took position by their vehicles, while Deputies [redacted] and Frias drove around the block to assist with the containment. Other Palmdale Station units responded to the emergent radio traffic and began to assist with the containment. Within a short time, Sergeant [redacted] heard over the radio the suspect had been taken into custody and had tried to carjack a vehicle on Avenue R and 25th Street.

Sergeant [redacted] remained at the residence and requested a Palmdale Station Sergeant to respond, as the house still needed to be secured. He conducted a safety briefing with Palmdale Station Sergeant Anderson. The house was cleared by assisting deputies and the rounds at both shooting locations were accounted for. Sergeant [redacted] was then sequestered and taken to Palmdale Station where he waited for IAB investigators to arrive.

Deputy James Phillips

On October 30, 2019, at 0843 hours, Deputy Phillips was interviewed by IAB investigators. He was provided two aerial photographs **[EXHIBIT M]** of the target residence and the surrounding neighborhood so he could identify his positions during the entire incident.

Deputy Phillips was currently on loan to the Gang Surveillance Unit, but officially assigned to the Parole Compliance Team. On October 23, 2019, he and his partner, Deputy Frias, assisted the Parole Compliance Team in the operation at [redacted] Jeri [redacted]. He explained the team was monitoring a [redacted] on Suspect McClure. Suspect McClure was wanted for being a parolee at large.

The team completed a full tactical and communication briefing with the PCT-1 members and the assisting Palmdale units. The briefing included all the suspect information and the reason for the operation. An operations plan and search warrant preparation check list had been completed.
The operating frequency was to be SCC Access Direct. Deputy Phillips explained the team used SCC Access Direct for communication when working in the north county areas because most other frequencies did not work there. They used SCC Access Direct so they could quickly switch to the repeat mode and SCC could patch them into the working frequency for the station area.

The plan was to put an [redacted] unit (Deputy Frias) on Jeri Lane, in an attempt to get a visual of Suspect McClure at the residence. Deputy Phillips' initial role was to be part of the entry team; however, he was in [redacted], so he participated in an undercover capacity. He contacted residents on 26th Street East to gain access to the yard adjacent to the suspect residence. The Palmdale Station patrol units were going to set up in that yard for containment purposes.

Deputy Phillips guided the Palmdale units to the location to show them which house to go to. After Deputy Frias confirmed Suspect McClure was at the residence, Deputy Phillips drove onto Jeri Lane, while the other PCT members staged on an adjacent street. Deputy Phillips was in an unmarked vehicle and drove past the location to set up on the south side, due to the fact the street was a cul-de-sac. The team also had information there was possibly a video camera at the target location.

After he passed the suspect residence, Deputy Phillips exited his vehicle and placed himself on the southwest corner of the location. Deputy Phillips is 6'07" tall, and from his vantage point, he could see over the side fence where he had a good view of the south side of the location, as well as the southern portion of the backyard. He also noticed there was an open window on that side of the house which was covered by a curtain. After getting into position, he radioed for the PCT members to begin their approach toward the target location.

As soon as the marked units got close to the residence, Deputy Phillips heard people in the house yelling, "Cops are here, cops, cops, cops." He notified the team over SCC Access Direct that the residents were aware of their presence. The team quickly approached the front door, where Deputy Phillips lost sight of them due to his positioning. He heard the team contact someone at the front door and he heard someone on the team yell, "Sheriff's Department, Parole search." He then saw Suspect McClure in the backyard of the location. Deputy Phillips described the suspect as very

distinct, with multiple tattoos. Suspect McClure looked directly at Deputy Phillips, then grabbed the handle of a gun which was under his shirt, in his waistband. Deputy Phillips said he could see the outline of the gun's handle through the suspect's shirt. Deputy Phillips ordered Suspect McClure to show his hands. Suspect McClure then ran north in the backyard, out of view.

A few seconds later, he heard people inside the house yelling, followed by a gunshot. Deputy Phillips heard the round hit a window-mounted air conditioning unit on the south side of the residence. He heard the unit spraying water. After the gunshot, he heard Sergeant [redacted] over the radio (SCC Access Direct) say they had been involved in a shooting inside the residence. Sergeant [redacted] also said he believed the suspect was down, and to stand by.

Deputy Phillips heard more yelling and the team giving orders to someone. He could not hear exactly what was being said. After approximately 15 seconds, he heard Sergeant [redacted] radio (SCC Access Direct) that the suspect just ran out the back and he was armed with a gun.

Deputy Phillips saw Suspect McClure run south through the backyard. Suspect McClure jumped over the fence and into a backyard to the southeast. Deputy Phillips lost sight of Suspect McClure but decided to run south to get to the end of the cul-de-sac in an attempt to regain visual of him. At the same time, a deputy was setting up a containment over the radio.

Deputy Phillips entered the backyard of [redacted], which was at the end of the cul-de-sac. He positioned himself at the east fence line and looked east into the backyard of [redacted]. He regained visual of Suspect McClure as Suspect McClure jumped the fence from [redacted]. He yelled at Suspect McClure, "Sheriff's Department. Let me see your hands." As Suspect McClure landed on the ground, he looked at Deputy Phillips and "grabbed the gun again, just like he did earlier in the backyard" (of the target location); "Over the top of his shirt, he grabbed the gun in his waistband" **(Deputy Phillips' IAB interview transcript, page 20)**.

Fearing Suspect McClure was retrieving a weapon and was about to shoot him, Deputy Phillips fired one round from his duty weapon at Suspect McClure from approximately 25 yards away. He aimed at center mass, and his backdrop was a wooden fence. After firing his weapon, Deputy Phillips saw Suspect McClure fall to the right and out of view.

Deputy Phillips decision to shoot was based on several factors. He previously saw Suspect McClure grab the handle of a gun in his waistband, Sergeant [redacted] radioed that the suspect was armed, and Suspect McClure made the same movement earlier when he grabbed the gun in his waistband. Deputy Phillips thought Suspect McClure was going to shoot him **(Deputy Phillips' IAB interview transcript, page 22)**.

Deputy Phillips believed he struck Suspect McClure, because it appeared he fell toward the house after the shot. Deputy Phillips' view of Suspect McClure was now blocked by the house.

Deputy Phillips repositioned himself a few feet to the north in an attempt to regain visual of Suspect McClure, who he saw crouched in a corner between the house and a fence. He yelled at Suspect McClure to stop. Deputy Phillips broadcasted he had been in a shooting. Suspect McClure then jumped a fence to the east into the front yard of [redacted], and Deputy Phillips lost sight of him. Deputy Phillips recalled hearing someone setting up a containment, but he did not hear any radio traffic regarding a foot pursuit.

Deputy Phillips then exited the rear yard of [redacted], and entered the rear yard of [redacted]. Deputy Phillips stood on an object to look over the fence to the south and could clearly see onto Avenue R. Deputy Phillips looked toward the east and saw other deputies, who told him the suspect ran west. Deputy Phillips looked west and saw Suspect McClure near the intersection of 25th Street East and Avenue R.

Deputy Phillips jumped the wall onto Avenue R and could no longer see Suspect McClure. He saw deputies running west on Avenue R toward 25th Street East. Deputy Phillips broadcasted over the radio that Suspect McClure was running and advised his location; however, another deputy was on the radio setting up a containment and he did not know if anyone heard his radio traffic.

Deputy Phillips then ran toward 25th Street East and Avenue R. When he arrived at 25th Street East and Avenue R, he saw a vehicle stopped in the left hand turn lane. The car was facing south, preparing to go east onto Avenue R. Deputy Phillips saw a deputy (Deputy [redacted]) on the passenger side of the vehicle. He saw the deputy had a hold of the passenger door handle. Deputy Phillips then noticed Suspect McClure was in the front passenger's seat.

He saw the deputy attempting to open the front passenger door; however, Suspect McClure was holding the door shut, resisting the deputy. Deputy Phillips went to the driver side and saw the deputy had successfully opened the passenger door. Deputy Phillips thought Suspect McClure still had the gun and was attempting to carjack the vehicle.

Deputy Phillips saw the deputy was trying to pull Suspect McClure from the vehicle. He also saw Suspect McClure's hands trying to push on the driver's right leg to push the gas pedal. Deputy Phillips heard Suspect McClure say, "Go," multiple times to the driver. Suspect McClure also attempted to operate the vehicle's center console shifter and the keys, which were in the ignition. Deputy Phillips thought the driver may have shut off the vehicle.

Another deputy (Deputy Vargas) arrived on the driver side with Deputy Phillips. The deputy opened the driver's door and pulled the driver from the vehicle as Deputy Phillips fired his Taser from the driver's side into the left chest area of Suspect McClure. The Taser was immediately effective. Suspect McClure tensed his arms near his chest and leaned to his right. Deputy Phillips immediately moved to the passenger side of the vehicle. When he arrived, Suspect McClure was already lying face down on the ground.

Deputy Vargas attempted to grab Suspect McClure's arm. Suspect McClure still had his left hand toward his waistband. Believing Suspect McClure still had a gun, Deputy Phillips applied downward pressure to Suspect McClure's lower neck and shoulder area with his left foot. Suspect McClure flailed and tried to get up from the ground as he yelled and refused to give up his left arm. Deputy Phillips gave Suspect McClure commands to give up his hands and told the other deputies to watch his left hand, because it appeared he was reaching for his waistband.

Deputy Phillips then kicked Suspect McClure four or five times with his right foot in the left ribs, in an attempt to gain compliance. Deputy Phillips described the kicks as "lighter" kicks, because he still had his left foot on Suspect McClure. Deputy [redacted] arrived and placed himself in front of Deputy Phillips. Deputy Phillips moved toward Suspect McClure's feet. Deputy Phillips applied downward pressure on Suspect McClure's upper legs with his left foot. Deputy [redacted]'s body blocked Deputy Phillips' view of Suspect McClure at that point. Deputy Phillips saw Deputy [redacted] attempting to control Suspect McClure's arms to finish the handcuffing.

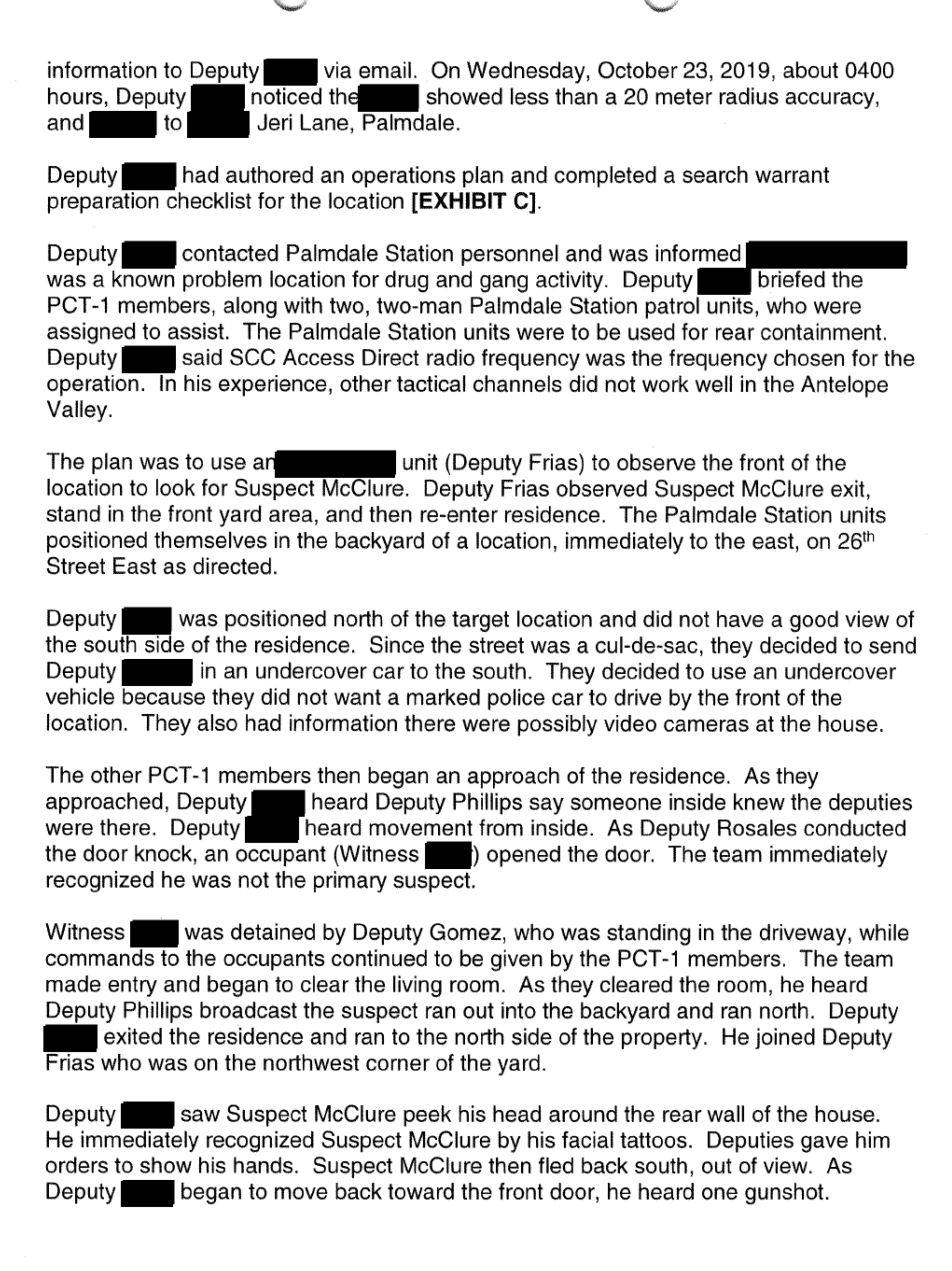
After Suspect McClure was handcuffed, the deputies checked him for gunshot and other wounds. They also checked his waistband and found Suspect McClure was not in possession of a gun at that time, and he had not been shot. Suspect McClure was medically treated by fire department personnel. Deputy Phillips broadcasted the suspect had been taken into custody. Deputy Phillips did not see any other force used on Suspect McClure. Deputy Phillips returned to the target location and was sequestered by the Palmdale Station Watch Commander, Lieutenant Gunn.

Deputy [redacted]

On October 30, 2019, at 1001 hours, Deputy [redacted] was interviewed by IAB investigators. Deputy [redacted] was assigned to PCT-1 and assisted in the operation to locate and arrest Suspect McClure. Deputy [redacted] obtained a cellular telephone number for Suspect McClure and authored a [redacted] search warrant [redacted]. The search warrant was authorized on Friday, October 18, 2019.

> **IAB Note: Deputy [redacted]'s research also found Suspect McClure was known by the street name "Snapper."**

The search warrant documents were submitted to LA CLEAR. LA CLEAR then contacted the [redacted]. LA CLEAR [redacted]



information to Deputy [redacted] via email. On Wednesday, October 23, 2019, about 0400 hours, Deputy [redacted] noticed the [redacted] showed less than a 20 meter radius accuracy, and [redacted] to [redacted] Jeri Lane, Palmdale.

Deputy [redacted] had authored an operations plan and completed a search warrant preparation checklist for the location **[EXHIBIT C]**.

Deputy [redacted] contacted Palmdale Station personnel and was informed [redacted] was a known problem location for drug and gang activity. Deputy [redacted] briefed the PCT-1 members, along with two, two-man Palmdale Station patrol units, who were assigned to assist. The Palmdale Station units were to be used for rear containment. Deputy [redacted] said SCC Access Direct radio frequency was the frequency chosen for the operation. In his experience, other tactical channels did not work well in the Antelope Valley.

The plan was to use an [redacted] unit (Deputy Frias) to observe the front of the location to look for Suspect McClure. Deputy Frias observed Suspect McClure exit, stand in the front yard area, and then re-enter residence. The Palmdale Station units positioned themselves in the backyard of a location, immediately to the east, on 26th Street East as directed.

Deputy [redacted] was positioned north of the target location and did not have a good view of the south side of the residence. Since the street was a cul-de-sac, they decided to send Deputy [redacted] in an undercover car to the south. They decided to use an undercover vehicle because they did not want a marked police car to drive by the front of the location. They also had information there were possibly video cameras at the house.

The other PCT-1 members then began an approach of the residence. As they approached, Deputy [redacted] heard Deputy Phillips say someone inside knew the deputies were there. Deputy [redacted] heard movement from inside. As Deputy Rosales conducted the door knock, an occupant (Witness [redacted]) opened the door. The team immediately recognized he was not the primary suspect.

Witness [redacted] was detained by Deputy Gomez, who was standing in the driveway, while commands to the occupants continued to be given by the PCT-1 members. The team made entry and began to clear the living room. As they cleared the room, he heard Deputy Phillips broadcast the suspect ran out into the backyard and ran north. Deputy [redacted] exited the residence and ran to the north side of the property. He joined Deputy Frias who was on the northwest corner of the yard.

Deputy [redacted] saw Suspect McClure peek his head around the rear wall of the house. He immediately recognized Suspect McClure by his facial tattoos. Deputies gave him orders to show his hands. Suspect McClure then fled back south, out of view. As Deputy [redacted] began to move back toward the front door, he heard one gunshot.

Deputy [redacted] arrived at the front door and saw Deputy [redacted], Deputy Rosales, and Sergeant [redacted] in the living room.

Sergeant [redacted] said they had just been involved in a shooting. Deputy [redacted] assisted by covering an open entryway to the kitchen, adjacent to the living room. Deputies gave verbal orders and a female exited the hallway. Deputy [redacted] walked her outside and handed her off to Deputy Gomez. Deputy [redacted] then returned to the living room.

Deputies continued to yell commands down the hallway. Based on the orders being given, Deputy [redacted] believed they knew where Suspect McClure was located. Suspect McClure, at some point, abruptly ran out the back of the house. Sergeant [redacted] ordered the team to back out and to treat the situation as a barricaded suspect scenario. Deputy [redacted] heard radio traffic that an armed person was running south from the location. Deputy [redacted] then broadcasted they had been involved in a shooting and provided the address for the location.

Approximately 30 seconds after Suspect McClure ran out the back of the house, Deputy [redacted] heard another gunshot. He attempted to set up a containment and he did not hear any other radio traffic. He then heard radio traffic that the suspect was at 25th Street East and Avenue R, attempting to carjack a citizen, or trying to get into a vehicle at that location. Deputy [redacted] drove to the location and parked directly behind the victim's vehicle.

When he arrived, he saw other deputies on scene. They struggled with Suspect McClure on the ground, on the passenger side of the vehicle. They attempted to handcuff and gain control of Suspect McClure, but he thrashed his legs up and down. Deputy [redacted] saw a deputy had control of Suspect McClure's right arm. Suspect McClure was on his stomach, and his left hand was down by his waistband.

Suspect McClure tried to pick up his head and upper body, so Deputy [redacted] held his head. Deputy [redacted] recalled hearing Deputy Phillips say to watch Suspect McClure's left hand because it was still underneath him. Deputy [redacted] ordered Suspect McClure to give up his left hand, but he did not comply. Deputy [redacted] struck Suspect McClure two times with a closed right fist in his left ribcage. Suspect McClure then released his left hand and was handcuffed by the other deputies.

Deputy [redacted] was unaware of the identities of the other deputies because they were not part of PCT-1. He assumed they were Palmdale Station patrol deputies. He only recognized Deputy Phillips at the scene. Deputy [redacted] did not witness any other force used on Suspect McClure.

Deputy [redacted]

On January 16, 2020, at 1029 hours, Deputy [redacted] was interviewed by IAB investigators. He was provided one aerial photograph **[EXHIBIT N]** of the target

residence and the surrounding neighborhood so he could document his position during the entire incident.

Deputy [redacted] was assigned to Palmdale Station patrol and was in [redacted]. His [redacted] at the time was Deputy Macias. On October 23, 2019, he and his [redacted] assisted the Parole Compliance Team with a search warrant service. This was the first time Deputy [redacted] had assisted or been involved in any type of search warrant service.

He attended a comprehensive briefing prior to the operation which explained their role and the purpose of the operation. A photograph of Suspect McClure was included in the briefing. They were assigned to take the rear of the location in case Suspect McClure ran. Suspect McClure was distinguishable because of his tattooed face and shaved head. Suspect McClure was reportedly a known gang member from "Brown Familia."

Deputy [redacted] said they were initially using the A-TAC frequency, then switched to direct mode. Deputy Dingman was assigned to broadcast emergent radio traffic and to set a containment if needed. Deputy [redacted] was assigned to have a Taser for the operation. Deputy [redacted] positioned himself in the backyard of [redacted], with Deputies Vargas, Dingman, and Macias. Specifically, Deputy Vargas was positioned in the northwest corner of the yard, Deputy [redacted] was positioned in the southwest corner and Deputy Dingman was somewhere between them. Deputy Macias was at the front of the location, in case Suspect McClure broke containment.

They placed themselves in the backyard prior to PCT-1 making their approach. As PCT-1 approached the front of the location, he heard deputy personnel announce themselves. After several seconds, he heard a large crashing sound. He believed the sound was the deputies making entry into the house.

After the team made entry, he heard a gunshot, followed by radio traffic indicating a deputy involved shooting had occurred. Deputy [redacted] was not sure if a deputy shot, or if the suspect shot. Prior to the shooting, he did not see Suspect McClure. After the shooting, Deputy [redacted] saw Suspect McClure jump the rear fence just south of him into another yard. Deputy [redacted] lifted himself to the top of the fence and fired his Taser at Suspect McClure as he ran away; however, the Taser darts missed the suspect. Deputy [redacted] estimated he was 10 feet from Suspect McClure when he fired his Taser.

Deputy [redacted] then ran toward the front of the house ([redacted]), then ran south on 26th Street East. He saw Suspect McClure exit a backyard several houses south of where he last saw him. Deputy [redacted] estimated it had been 15 to 20 seconds from when he attempted to tase Suspect McClure, to the time he saw him exit onto 26th Street East from a backyard. Deputy [redacted] then engaged in a foot pursuit of Suspect McClure, south on 26th Street East.

Deputy [redacted] believed he ran past Deputy Macias. He noticed Deputy Vargas was just south of his location and was also giving chase. Deputy [redacted] passed him while running south on 26th Street East. As Deputy [redacted] passed Deputy Vargas, he heard Deputy Vargas giving an updated location via the radio and believed he had broadcasted they were in a foot pursuit.

Deputy [redacted] ran approximately 15 yards behind Suspect McClure, who ran south across Avenue R to the south curb line. He then ran west, toward 25th Street East. Deputy [redacted] followed and said there was a lot of vehicle traffic on Avenue R at that time. He attempted to tase Suspect McClure again as they approached 25th Street East, but the Taser darts missed. Deputy [redacted] was approximately 10 feet from Suspect McClure when he attempted to tase him. Deputy [redacted] explained it was difficult to aim the Taser while running. Deputy [redacted] continuously ordered Suspect McClure to stop running during the foot pursuit. Deputy [redacted] saw Deputy Vargas running parallel to him on the north curb line of Avenue R.

As Suspect McClure entered the intersection of 25th Street East and Avenue R, he turned in a northerly direction. In the intersection, he attempted to open the front passenger door of a black colored sedan with a male driver. The driver did not allow him to enter his vehicle and drove away. Deputy [redacted] attempted to detain Suspect McClure at gun point. Suspect McClure then continued to run north where he opened the front passenger door of another occupied vehicle which was stopped. The vehicle was poised to make an eastbound turn onto Avenue R.

Suspect McClure got into the vehicle and Deputy [redacted] heard him tell the driver to drive away. Suspect McClure also manipulated the vehicle's gear selector and pushed on the driver's leg to push on the gas pedal. Deputy [redacted] believed Suspect McClure was attempting to carjack the vehicle and saw the driver appeared scared. Deputy [redacted] holstered his duty weapon and pulled on the passenger door with both hands. Suspect McClure held the door shut, preventing it from opening. Deputy [redacted] overpowered Suspect McClure and was able to open the door. He ordered Suspect McClure to exit the vehicle, but he did not comply.

Deputy [redacted] grabbed Suspect McClure by his right arm. He placed his right hand on Suspect McClure's right wrist, and his left hand under his right tricep. Deputy [redacted] attempted to pull Suspect McClure from the vehicle, but he resisted. Other deputies arrived to assist Deputy [redacted] A few deputies went to the driver's side of the vehicle and Deputy Vargas pulled the driver from the vehicle. Another deputy put his arm through the open driver's side window and tased Suspect McClure, who yelled and went limp. Deputy [redacted] pulled Suspect McClure from the vehicle, onto the ground, where he landed on his chest.

Suspect McClure yelled while Deputy [redacted] handcuffed his right wrist. Other deputies handcuffed his left wrist. After he was handcuffed, Deputy [redacted] searched Suspect McClure for weapons and checked him for gunshot wounds. Deputy [redacted] did not see any other force used.

No weapons were found and Suspect McClure had not been shot. Suspect McClure was helped to his feet and placed in the back seat of a radio car, then medically treated by fire department personnel at the scene.

Deputy Agustin Vargas

On January 16, 2020, at 1143 hours, Deputy Vargas was interviewed by IAB investigators. He was provided one aerial photograph **[EXHIBIT O]** of the target residence and the surrounding neighborhood so he could document his position during the entire incident.

Deputy Vargas was assigned to Palmdale Station patrol and was in his [redacted]. His [redacted] at the time was Deputy Dingman. This was the first time Deputy Vargas had been involved in any kind of search warrant operation.

On October 23, 2019, he and Deputy Dingman assisted the Parole Compliance Team with a search warrant service. A comprehensive pre-briefing took place, which included a photo of the suspect, who had distinct facial tattoos. The operation was to apprehend Suspect McClure, a serious felon, who was known to run from law enforcement and known to carry a gun. The radio frequency for the operation was designated as SCC Direct. Deputy Dingman was designated as the person to put out emergent radio traffic if Suspect McClure fled.

Deputy Vargas' role was to be in the backyard of the residence behind the target location. Additionally, if Suspect McClure ran from the location, he had a pre-designated outer containment position on the corner of 26th Street East and Avenue R. The plan was for him to travel on foot to his outer containment spot if needed. He also carried a single shot 40 millimeter baton launching weapon as a less lethal option. As they set up in the backyard, Deputies Dingman and [redacted] were with him, and Deputy Macias placed herself in front of the residence on 26th Street East.

They set up in the backyard prior to PCT-1 making an approach to the target location. As the team approached the front door, Deputy Vargas heard them announce themselves and then heard that someone was running. He saw a male peek over the backyard fence and identified him as the warrant suspect (Suspect McClure). When Suspect McClure saw the deputies, he went back into the target location's backyard, where Deputy Vargas lost sight of him.

A short time later, Deputy Vargas heard a gunshot followed by radio traffic stating, "He's running back out." He also heard radio traffic regarding a shooting, but did not know exactly what was going on, because he had not been inside the target location. He then saw Suspect McClure jump over the fence and into a neighboring backyard not covered by deputies.

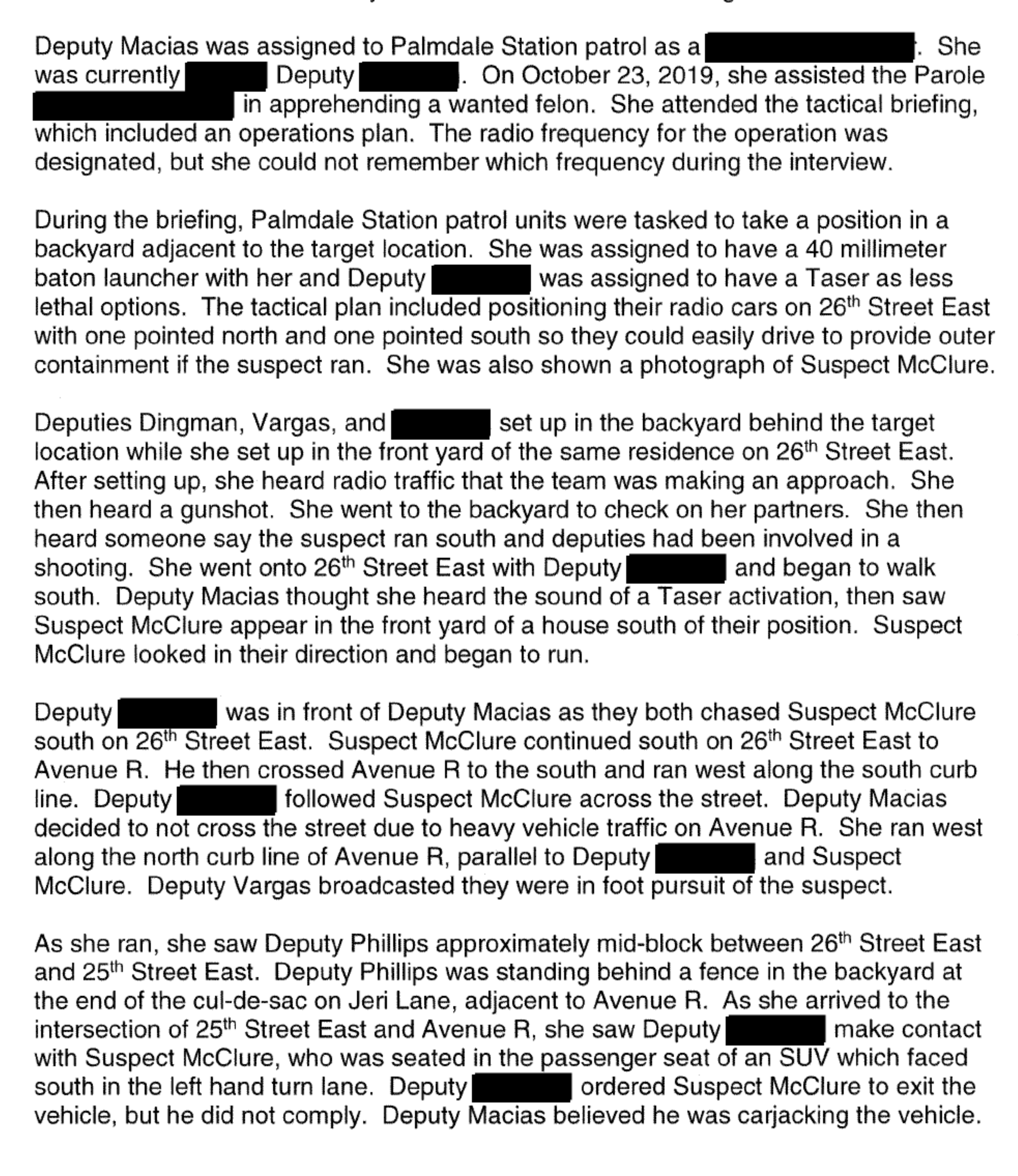
Deputies Vargas and [redacted] ran from the backyard onto 26th Street East. Deputy Vargas' intent was to go to his pre-designated outer containment spot at 26th Street East and Avenue R. As he ran to his containment spot, he passed Deputy Macias. As he continued to run south on 26th Street East, he saw Suspect McClure jump a fence and run onto 26th Street East, approximately 20 feet in front of him. He began to chase Suspect McClure along with Deputy [redacted] Deputy Vargas heard Deputy Dingman broadcast emergent radio traffic and began to set up a containment. Deputy Vargas said he broke Deputy Dingman's radio traffic to broadcast he was in foot pursuit. This was Deputy Vargas' first foot pursuit.

Suspect McClure continued to run south on 26th Street East to Avenue R. Upon reaching Avenue R, he continued south across the street and then ran west on the south curb line of Avenue R. Deputy [redacted] followed Suspect McClure across the street while Deputy Vargas ran west along the north curb line of Avenue R, parallel to Deputy [redacted] and Suspect McClure. Deputy Vargas believed Deputy Macias was behind him, but he did not look to see where she was. As Deputy Vargas ran west, he saw another deputy in the backyard of a residence at the end of the cul-de-sac of Jeri Lane, adjacent to Avenue R.

Deputy Vargas saw Suspect McClure approach a vehicle at 25th Street East and Avenue R. When Suspect McClure arrived at the vehicle, Deputy Vargas was at the northeast corner of the intersection. Suspect McClure got into the front passenger seat of the vehicle. Deputy Vargas believed he was carjacking the vehicle. Deputy [redacted] was on the passenger side and Deputy Vargas went to the driver's side. Deputy Vargas told the driver to get out of the vehicle and assisted him out. As he assisted the driver from the vehicle, he heard the popping sound of a Taser activation.

Deputy [redacted] grabbed Suspect McClure and pulled him from the vehicle. Deputy Vargas ran to the passenger side of the vehicle and saw Suspect McClure was face down on the ground. Deputy Vargas grabbed Suspect McClure and handcuffed one of his wrists. He then handed him off to Deputy [redacted] who finished handcuffing him. Deputy Vargas could not remember which arm he grabbed. Suspect McClure was treated by fire department personnel at the scene. Deputy Vargas did not witness any other force used on Suspect McClure, nor did he see if he had any injuries.

Deputy Beatriz Macias



On December 17, 2019, at 1013 hours, Deputy Macias was interviewed by IAB investigators. She was provided three aerial photographs of the target residence and the surrounding neighborhood so she could document her position during the entire incident. She did not make any marks on the documents during the interview.

Deputy Macias was assigned to Palmdale Station patrol as a [redacted]. She was currently [redacted] Deputy [redacted]. On October 23, 2019, she assisted the Parole [redacted] in apprehending a wanted felon. She attended the tactical briefing, which included an operations plan. The radio frequency for the operation was designated, but she could not remember which frequency during the interview.

During the briefing, Palmdale Station patrol units were tasked to take a position in a backyard adjacent to the target location. She was assigned to have a 40 millimeter baton launcher with her and Deputy [redacted] was assigned to have a Taser as less lethal options. The tactical plan included positioning their radio cars on 26th Street East with one pointed north and one pointed south so they could easily drive to provide outer containment if the suspect ran. She was also shown a photograph of Suspect McClure.

Deputies Dingman, Vargas, and [redacted] set up in the backyard behind the target location while she set up in the front yard of the same residence on 26th Street East. After setting up, she heard radio traffic that the team was making an approach. She then heard a gunshot. She went to the backyard to check on her partners. She then heard someone say the suspect ran south and deputies had been involved in a shooting. She went onto 26th Street East with Deputy [redacted] and began to walk south. Deputy Macias thought she heard the sound of a Taser activation, then saw Suspect McClure appear in the front yard of a house south of their position. Suspect McClure looked in their direction and began to run.

Deputy [redacted] was in front of Deputy Macias as they both chased Suspect McClure south on 26th Street East. Suspect McClure continued south on 26th Street East to Avenue R. He then crossed Avenue R to the south and ran west along the south curb line. Deputy [redacted] followed Suspect McClure across the street. Deputy Macias decided to not cross the street due to heavy vehicle traffic on Avenue R. She ran west along the north curb line of Avenue R, parallel to Deputy [redacted] and Suspect McClure. Deputy Vargas broadcasted they were in foot pursuit of the suspect.

As she ran, she saw Deputy Phillips approximately mid-block between 26th Street East and 25th Street East. Deputy Phillips was standing behind a fence in the backyard at the end of the cul-de-sac on Jeri Lane, adjacent to Avenue R. As she arrived to the intersection of 25th Street East and Avenue R, she saw Deputy [redacted] make contact with Suspect McClure, who was seated in the passenger seat of an SUV which faced south in the left hand turn lane. Deputy [redacted] ordered Suspect McClure to exit the vehicle, but he did not comply. Deputy Macias believed he was carjacking the vehicle.

She then saw Deputy Vargas on the driver's side of the vehicle. The deputies on the passenger side managed to open the door and grabbed Suspect McClure who resisted being removed from the vehicle. Suspect McClure was then pulled from the vehicle and placed on the ground onto his chest. Deputy Macias went to the passenger side of the vehicle to assist the deputies.

Suspect McClure was uncooperative and moved his body. One of his wrists was already handcuffed and the deputies struggled to handcuff his other hand. Deputy Macias assisted in the handcuffing, but could not remember if Suspect McClure resisted. Suspect McClure was then assisted to his feet and placed in the back seat of a radio car. Deputy Macias did not see any other force used.

SWORN WITNESS STATEMENTS

Deputy Carlos Rosales

On October 30, 2019, at 1050 hours, Deputy Rosales was interviewed by IAB investigators. Deputy Rosales was assigned to the Parole Compliance Team. On October 23, 2019, the team was attempting to locate a parolee absconder (Suspect McClure) at [redacted] Jeri Lane, Palmdale. The team had written a [redacted] search warrant for his cell phone. On that day, the [redacted] radius narrowed down to that address. They had an undercover vehicle sit near the residence while the rest of the team conducted a briefing and staged away from the location.

The briefing included tactics for the operation, such as rear containment, which was going to be accomplished by two, two-man Palmdale Station patrol units. Prior to the team making an approach on the residence, they were to wait for the Palmdale deputies to set up. Deputy Rosales' role was to be the first man on the arrest/contact team. He was to knock on the door and announce the team's presence. SCC Access Direct was the radio frequency of choice, because of its good reception in the Antelope Valley. Other tactical channels got bad radio reception.

The [redacted] deputy (Deputy Frias) identified Suspect McClure at the residence, so the team started to head in that direction. The Palmdale units set up to the rear and the team began to approach the target location. Deputy Phillips, the other [redacted] deputy, drove to a vantage point on the south side of the property.

As Deputy Phillips got into position, the team arrived to the front of the residence. When they exited their vehicles, Deputy Phillips radioed he heard someone say, "Cops are here!" "Cops are here!" The team hurried toward the door. As Deputy Rosales arrived at the front door, he heard people inside the house running, and heard doors slamming. He immediately yelled out, "Sheriff's Department, Parole search. Open the door." He opened the unlocked metal screen door and banged on the wooden door.

As he yelled, someone inside the house (Witness [redacted]) opened the door. They ordered him outside and he complied. At that point, Deputy Phillips broadcasted that the suspect went out the back door and ran north. The entry team tactically entered and cleared the living room while they continued moving forward. There was an open kitchen area with a large curtain in the middle of the room acting as a room divider. There was a hallway to the right (south).

Deputy Rosales stayed in front of the kitchen and covered that area at gunpoint, while Sergeant [redacted] and Deputy [redacted] covered the hallway at gunpoint. Deputy Rosales heard someone running at the rear of the house and heard Sergeant [redacted] say something to the effect of, "Show me your hands," or, "Let me see your hands," followed by a loud "pop."

Deputy Rosales looked down the hallway and caught a glimpse of the suspect (Suspect McClure) diving into a room to the right. Deputy Rosales was only able to see Suspect McClure's lower body and legs as he jumped into the room, out of view. Sergeant [redacted] announced the suspect had a gun. The only deputy personnel inside the location when the shot was fired were Deputy Rosales, Deputy [redacted], and Sergeant [redacted].

Deputy Rosales then pointed his weapon down the hallway towards the last place he saw Suspect McClure. A woman began to scream from the room where Suspect McClure had gone. They ordered the woman onto the floor and directed her to crawl toward them. She immediately complied and was escorted out of the residence by Deputy [redacted].

Suspect McClure remained in the room as the deputies ordered him to show his hands and to give up. He yelled back at the deputies and was uncooperative. He stuck his head out of the room and Deputy Rosales immediately recognized him as Suspect McClure. Suspect McClure then ran across the hallway toward the back of the house.

Sergeant [redacted] ordered the team to back out and treat the incident as a barricaded suspect, because they did not know where Suspect McClure had gone. Less than a minute later, as they exited the house, Deputy Rosales heard another gunshot, followed by radio traffic stating the suspect was running southbound toward Avenue R. The gunshot sounded like it came from south of the target location. Deputy Rosales then heard radio traffic stating the suspect was running west toward Avenue R and 25th Street East.

Sergeant [redacted] ordered Deputy Rosales to remain at the scene to hold the residence. The house had not been cleared and there could have been additional people inside. A few seconds later, Deputy Rosales heard more radio traffic stating the suspect had attempted to carjack a vehicle and the deputies were taking him into custody.

During the incident, Deputy Rosales did not remember hearing any radio traffic regarding a foot pursuit. He remembered hearing Deputy [redacted] broadcast a deputy involved shooting had occurred and heard a deputy attempted to set up a containment.

Deputy [redacted]

On October 30, 2019, at 0800 hours, Deputy [redacted] was interviewed by IAB investigators. Deputy [redacted] was assigned to the Parole Compliance Team. They had an active search warrant to obtain [redacted] of a wanted parolee at large. On the morning of October 23, 2019, the ping was coming from [redacted] Jeri Lane, Palmdale. The team put together an operation which included an operations plan and pre-planning. The designated radio frequency was SCC Access Direct. Deputy [redacted] role was to have the "pick" for the security door, which would put him second or third in line on the entry team.

> **IAB Note: The "pick" is a tactical entry tool commonly used to assist in forcing entry into a home when the location has a metal security door over the main front door. Metal security doors open outward, preventing them from being forced inward. The "pick" is used to pry the security door away from the house.**

An undercover unit was placed on the target location street to observe the residence. A secondary [redacted] unit (Deputy Phillips) was to lead the line of patrol cars to drive past the location to get an observation of the south. The team was to approach and park directly in front of the location, because it was likely the patrol vehicles would be seen as soon as they were on the street. This tactic was chosen to shorten the time for the team to get to the front door. Prior to making the approach, they had two, two-man Palmdale Station units set up on the street to the east, to contain the east side of the house.

The team approached and parked their vehicles in front of the residence. As the team approached the front door, Deputy [redacted] heard people inside the house yelling that the cops were there. He also heard shuffling, scrambling, and what sounded like people running. Deputy Phillips heard the same thing and radioed that information. Deputy [redacted] continued toward the front door and noticed the screen door was open. Deputy [redacted] believed he arrived to the front door before the rest of the team.

Deputy Rosales arrived to the front door and knocked. He made the announcement, "Sheriff's Department, Parole search." An occupant opened the door and was detained by Deputy [redacted] who walked him out to the street. Deputy Phillips, who was on the south side of the location, radioed he saw the suspect (Suspect McClure) in the backyard. Upon hearing this information, the team decided to make entry into the residence. Deputy Rosales and Sergeant [redacted] went in first, and Deputy [redacted] was behind them.

Deputy [redacted] saw the first room he walked into was a big living room. Directly adjacent to the living room was a kitchen and a hallway. They scanned the living room for threats, then took positions to hold the kitchen and the hallway. Deputy [redacted] placed himself with Sergeant [redacted] to hold the hallway. He knelt next to Sergeant [redacted] on his right, so they could both use the living room wall as cover while holding the hallway at gunpoint.

After a few seconds, Deputy [redacted] thought he saw movement out of the corner of his eye and directed his attention to his right, looking out the front door of the residence. As he turned back to hold the hallway, he heard a "pop." He believed he heard yelling just prior to the pop, and thought the pop sounded like a Taser being deployed. When he looked down the hallway, he expected to see Suspect McClure laying on the floor, succumbed to the Taser. He did not see anything in the hallway. He then noticed Sergeant [redacted] had his gun out, the slide was locked to the rear, and he could see smoke from the barrel.

Deputy [redacted] realized a shot had been fired and heard Suspect McClure yell from the end of the hallway. Deputy [redacted] could not see Suspect McClure, but he believed he was at the end of the hallway to the right (west). He also heard a female scream in the same area, which later turned out to be a bathroom.

They ordered the female to crawl down the hallway toward them. She cooperated and was taken from the house by Deputy [redacted]. They continued to give Suspect McClure orders to show his hands. Suspect McClure peeked around the corner and Deputy [redacted] could only see a small portion of his face. Suspect McClure continued to argue with the deputies and refused to fully show himself.

Suspect McClure then ran through the hallway to the east, toward the back of the house and out of view. Deputy [redacted] did not see if he had anything in his hands when he ran. Sergeant [redacted] ordered the team to back out of the location and treat it as a barricaded suspect incident. As they backed out of the house, Deputy [redacted] heard another gunshot. The gunshot sounded like it was a distance away, in the backyard somewhere between the target location and 26th Street East. Deputy [redacted] then heard radio traffic regarding an armed suspect and a deputy involved shooting.

Deputy [redacted] heard radio traffic of a containment being set up. Deputies described where Suspect McClure was last seen and began to assign containment points around the immediate area. He then heard radio traffic stating the suspect was being detained on 25th Street East and Avenue R. Deputy [redacted] stayed at the target location to assist with holding the residence.

Deputy Gabriel Frias

On October 30, 2019, at 1130 hours, Deputy Frias was interviewed by IAB investigators. Deputy Frias was on loan to the Gang Surveillance Unit, but he was

officially assigned to the Parole Compliance Team. On October 23, 2019, a Parole Compliance Team member asked him and his partner, Deputy Phillips to assist in an operation at [redacted] Jeri Lane, Palmdale. PCT-1 was looking for a parolee at large and were actively monitoring a [redacted] for a cellular phone, pursuant to a search warrant.

PCT-1 members asked for extra surveillance because the suspect was known to run from law enforcement. Deputy Frias met with Deputy [redacted] at Palmdale Station where he was briefed on the suspect's (Suspect McClure) criminal history and the tactical plan for the operation. Deputy Frias was told there was a possibility of counter surveillance (cameras) at the location. He was shown multiple pictures of Suspect McClure from different angles to help identify him. He was also shown pictures of the target location.

Deputy Frias then deployed to observe the location in an undercover vehicle (silver colored Ford Edge), two houses north of the target location. He parked on the east side of the street, facing north. He monitored the residence through the back window of his vehicle.

After approximately an hour, he saw a female adult arrive and walk to the front door. She knocked and a male adult opened the door. A few minutes later, he saw Suspect McClure come out of the location. He immediately recognized him by the tattoos on his head. Suspect McClure walked approximately 10 to 15 feet toward the front of the garage. He looked back and forth and seemed uneasy and on edge. Suspect McClure then walked back inside the residence after a few minutes.

Deputy Frias notified the team of his observations. As the team drove toward the location, they passed Deputy Frias. He exited his vehicle and took a position on the northwest corner of the property where he could see the north side of the property and partially into the backyard. He was aware there were Palmdale Station deputies on rear containment; however, he only knew Deputy Macias.

As the team approached the location, he heard someone inside yell, "Cops," repeatedly. He heard the team make announcements, "Sheriff's Department, Parole search. Open the door." One of the occupants opened the door. Deputy Frias heard radio traffic stating the suspect ran out the back.

The team went inside and there was continuous screaming and yelling coming from inside. He heard Sergeant [redacted] yell, "Show me your hands," followed by the sound of a gunshot. Deputy Frias heard more yelling and a radio broadcast stating the suspect was running out the back. He then heard Sergeant [redacted] order the team to back out and to treat it as a barricade. Deputy Frias was not sure if he heard everything over the radio or if he heard it because he was within earshot.

After Suspect McClure fled, he heard additional radio traffic stating the suspect was running south. He then heard a second gunshot, followed by more radio traffic saying

deputies had been involved in a shooting and the suspect was running on Avenue R, approaching 25th Street East. Then he heard the suspect was at the intersection of 25th Street East and Avenue R. He did not hear any radio traffic regarding a foot pursuit.

Deputy Frias responded with Deputy [redacted] to 25th Street East and Avenue R. When they arrived, he saw Suspect McClure on the ground with other deputies around him. Multiple other marked units were arriving, so he began to coordinate the responding units. Deputy Frias saw Suspect McClure had been handcuffed, so he returned back to the original location. Deputy Frias did not witness any force.

Deputy Kyle Dingman

On January 16, 2020, at 1003 hours, Deputy Dingman was interviewed by IAB investigators. Deputy Dingman was assigned to Palmdale Station patrol as a [redacted]. His [redacted] and partner on October 23, 2019, was Deputy Vargas. On that day, they assisted the Parole Compliance Team with a search warrant operation. Deputies Macias and [redacted], another two man patrol unit, also assisted.

He attended a tactical briefing which included a comprehensive operations plan, including a photograph of the suspect (Suspect McClure). Deputy Dingman's unit was assigned to 26th Street East, directly behind the target location. He took a position in the backyard with his partner and the other Palmdale unit prior to PCT-1's approach. Once they were in position, they announced over the radio the rear containment was set.

Deputy Dingman was assigned to broadcast emergent radio traffic if needed. His instructions were to stay in the backyard. If Suspect McClure ran into the backyard, they were to detain him. If Suspect McClure broke containment, he was to switch from the tactical frequency, to Dispatch 15, so other Palmdale units could hear the radio traffic, to get additional units to respond. Additionally, if Suspect McClure broke containment, Deputy Vargas and Deputy [redacted] were instructed to take two pre-designated containment spots, identified during the briefing. Deputy Dingman was to remain in the backyard for rear containment, and set up the outer containment via radio.

Deputy [redacted] was armed with a Taser and Deputy Vargas was armed with a 40 millimeter launcher as less lethal options. Deputy Macias positioned herself in front of the location on 26th Street East, in case Suspect McClure broke containment, she would have a visual of 26th Street East.

When the team arrived at the front door of the location, Deputy Dingman heard them knock several times and announce their presence. He heard radio traffic stating the suspect was running. He then saw Suspect McClure peek over the rear fence. As soon as he saw the deputies, he ducked down behind the fence. Deputy Dingman ran to the fence and saw Suspect McClure run back inside the location. Deputy Dingman did not see his hands.

Several seconds later, Deputy Dingman heard a "pop" sound, then heard radio traffic of a deputy involved shooting. He then heard Deputy [redacted] yell, "There he goes." Deputy Dingman turned and saw Suspect McClure leaping over the wall, running southbound.

Deputy Dingman requested emergency clearance over the radio and advised of the deputy involved shooting. He began assigning containment locations and advised the suspect was running southbound. While setting up the containment, a deputy updated Suspect McClure's location. Shortly afterward he was taken into custody.

Deputy Dingman remained in the backyard for security purposes until the location was cleared.

Deputy Randy Gomez

On October 30, 2019, at 1203 hours, Deputy Gomez was interviewed by IAB investigators. Deputy Gomez was assigned to the Parole Compliance Team. On October 23, 2019, the team conducted an operation to locate a parole absconder, Suspect Brandon McClure, who was known to carry a gun and rob people in the area. A "[redacted]" search warrant was obtained to assist in locating him. A comprehensive operations plan and briefing preceded the operation.

Deputy Gomez' initial role was to be part of the entry team as second in line. An undercover unit was assigned to surveil the front of the location while Palmdale Station units set up behind the location for rear containment.

As the team approached the residence, Deputy Gomez heard people running around inside house, closing doors and windows. Deputy Rosales announced the team's presence and the movement inside the house continued. A man then came to the door. The man was cooperative and Deputy Gomez escorted him to a radio car, where he was placed in the backseat.

Deputy Gomez remained at the radio car to receive a female who was escorted out by Deputy [redacted]. As he placed the female in the backseat of the radio car, he heard radio traffic stating shots had been fired inside the house, and that the suspect ran out the rear of the residence. Deputy Gomez was approximately 100 feet from the front door of the location at the time of the shooting, but he did not hear the gunshot.

A few seconds later, he heard a gunshot south of his location. He then heard radio traffic that a deputy involved shooting had occurred, followed by radio traffic of a containment being established. He later heard radio traffic that the parolee (Suspect McClure) was detained.

The team exited the residence and he remained there while awaiting Palmdale Station units to assist in clearing the house.

Sergeant Philip Anderson

On December 16, 2019, at 1010 hours, Sergeant Anderson was interviewed by IAB investigators. Sergeant Anderson was assigned to Palmdale Station as a patrol Sergeant. On October 23, 2019, he responded to [redacted] Jeri Lane, Palmdale, regarding emergent radio traffic of a deputy involved shooting.

Prior to hearing the radio traffic, he had not been aware of any operation being conducted. He later learned the Parole Compliance Team was conducting an operation and used Palmdale Station patrol units for rear containment. PCT-1 had completed an operations plan, notified the Watch Commander, and requested two, two-man patrol units.

Sergeant Anderson initially responded to Avenue R and 25th Street East. He heard over the radio the suspect was taken into custody at that location. When he arrived, there was a civilian vehicle facing south on the north side of the intersection in the left turn lane. He saw the suspect (Suspect McClure) laying on the ground in handcuffs. There were several other deputies there.

Sergeant Anderson ordered the deputies to put Suspect McClure into a radio car to prevent any further possible issues with him. Sergeant Anderson then left that location and went to [redacted] Jeri Lane, to determine what happened and to see if any Palmdale deputies had been involved. When he arrived, Sergeant [redacted] told him he had fired his weapon and gave Sergeant Anderson a brief synopsis of the shooting, including where the shooting occurred, the direction of fire, and the number of rounds fired.

Sergeant Anderson was also told a second shooting occurred somewhere in the backyard or behind the house. He was also told Palmdale patrol units had been assisting, so he did not know if they had been involved in the second shooting.

The target location had not yet been secured so Sergeant [redacted] asked him if he could get a team together to secure the house. The Palmdale Station, Partners Against Crime (city funded special problems teams) responded with two sergeants, Sergeants Riddle and Grimes, and secured the residence. There were other civilians inside the residence; however, no one was injured. Sergeant Anderson left the scene to find the Palmdale units involved in the operation.

He located Deputies Dingman, Vargas, Macias, and [redacted]. He learned Deputies [redacted], Vargas, and Macias had been involved in a foot pursuit and a use of force at the terminus of the pursuit. He also learned Deputy Phillips had been involved in the second shooting and no one was injured. He spoke to Deputy Phillips who showed him where he was standing at the time of the shooting, which direction he shot and how many rounds were fired.

Sergeant Anderson also interviewed Witness [redacted], who was the driver of the vehicle Suspect McClure got into while attempting to escape. A summary of the interview is included below, under the name, "Witness [redacted]."

CIVILIAN WITNESS STATEMENTS:

Witness [redacted]

On October 23, 2019, Witness [redacted] was interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #13]** at the scene. On December 17, 2019, IAB investigators sent Witness [redacted] a certified letter requesting an interview. The letter was returned as not deliverable **[MISCELLANEOUS DOCUMENTS]**.

Witness [redacted] was inside [redacted], when deputies arrived. He had been homeless for approximately two months and moved into the location, four to six days prior. He had been helping to take care of Witness [redacted], the disabled [redacted].

On the day of the incident, Witness [redacted] was standing by a window in the front living room and saw a person run down the street. He recognized people in Sheriff's Department uniforms out front, so he opened the door.

He heard them make an announcement, "Sheriff's Department." They yelled something once or twice before they detained him and brought him outside. Several of the deputies entered the house. He was near the front of the garage when he heard what he thought was a flash bang. The deputies then placed him in the back seat of a police vehicle.

Witness [redacted] did not know the suspect's name, but described him as a tall Spanish guy with tattoos on his face. Witness [redacted] saw him in the house earlier that morning. Witness [redacted] said he did not see Suspect McClure in possession of a gun.

Witness [redacted]

On October 23, 2019, Witness [redacted] was interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT # 14]** at the scene. On December 17, 2019, IAB investigators sent Witness [redacted] a certified letter requesting an interview. The letter was returned unclaimed **[MISCELLANEOUS DOCUMENTS]**.

Witness [redacted] was inside [redacted], when deputies arrived. She worked for Witness [redacted] as a [redacted], but she did not live at the location. On the day of the incident, she arrived and saw "Snapper" (Suspect McClure) was inside. He locked the door behind her as she entered. She thought this was strange behavior, because the front door is usually left unlocked.

A short time later, she was in the bathroom and heard pounding, followed by a "pop." She said the pop sounded like a firecracker was lit off in the hallway. Prior to hearing the pop, she heard someone banging at the front door. She also heard Witness [redacted] say, "Just a minute," as if he was answering the door.

"Snapper" then burst into the bathroom and tried to lock the door. After "Snapper" entered the bathroom, she thought she heard another pop. Witness [redacted] heard the deputies yell, "Come out with your hands up." She did not see "Snapper" with a gun and said he had a cell phone in his hand. "Snapper" did not make any comments to her in the bathroom.

When she stepped out of the bathroom, the deputies had her crawl down the hallway toward them. As she was crawling out, "Snapper" bolted out of the bathroom toward the back of the house. She was handcuffed and placed into a car with Witness [redacted].

Witness [redacted]

On October 23, 2019, at 1559 hours, Witness [redacted] was interviewed by IAB investigators in the Palmdale Station Jail. He was also interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #15B]** at 1842 hours on the same day. Witness [redacted] had been arrested for an outstanding warrant at the conclusion of the incident.

Witness [redacted] was at [redacted], when the deputies arrived. He had been living there for a week with his [redacted], [redacted] (Witness [redacted]).

> **IAB Note:** **Witness [redacted] lives in a make shift room adjacent to the kitchen. A large curtain or sheet was tacked to the ceiling, acting as a room divider between the kitchen and Witness [redacted]' area.**

He heard loud noises and thought people were arguing. He believed he heard deputies yelling, "Sheriff's Department. Sheriff's Department. Come out." He peeked around the curtain and saw the deputies coming inside.

The deputies seemed to be focused on the hallway. At that point, he heard what he believed to be a gunshot. Witness [redacted] began to panic because he did not know what was going on, and he heard all the deputies' radios going off. He told Witness [redacted] he wanted to leave and asked her to put her shoes on. She refused, so he ran out through the kitchen door into the backyard.

Witness [redacted] said when he exited the house into the backyard, he saw "Snapper" was also in the backyard running. He did not see "Snapper" carrying a gun. "Snapper" said, "They're shooting. They're shooting. Run." Witness [redacted] then hid in some bushes and did not see where "Snapper" went. While hiding, he thought he heard another gunshot, so he just stayed there and did not move until a deputy came.

Witness [redacted] was not aware of "Snapper's" real name. He described "Snapper" as tall, white skinned, with tattoos all over his face. He has seen "Snapper" carry a gun in his waistband in the past, and knows he is a gang member from "Brown Familia." Approximately one week prior, they had an argument where "Snapper" pulled out a gun and placed it next to him on the couch. He described the gun as an old school western revolver, silver in color, with a brown handle. This incident took place inside [redacted] Jeri Lane.

When Witness Willars was booked on his warrant, he was placed in the same cell as "Snapper." "Snapper" told him he had a gun on him when the deputies came to the house, and he tossed it in the backyard when he ran away.

Witness [redacted]

On October 23, 2019, Witness [redacted] was interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #16B]** and IAB investigators at the scene of the incident.

Witness [redacted] was at [redacted], when the deputies arrived. She had been staying at the location for two weeks with her boyfriend, Witness [redacted]. They stayed in a makeshift bedroom in the living room, next to the kitchen.

She heard orders being given by the deputies, but she could not remember what they said. She thought she heard, "Sheriff's Department," multiple times. She then heard one gunshot at first, and thought she heard a couple more later. The first shot sounded closer than the subsequent ones. Witness [redacted] explained that Witness [redacted] ran to the backyard because he was scared of getting a parole violation for being there.

She mentioned thirty minutes before the deputies arrived, she saw "Snapper" at the residence. She described "Snapper" with tattoos on his face. He does not live there, but he frequents the location. She said she has never seen "Snapper" with a gun.

Witness [redacted]

On October 23, 2019, at 1146 hours, Witness [redacted] was interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #17]**. On December 17, 2019, IAB investigators sent Witness [redacted] a certified letter requesting an interview. The letter was returned as not deliverable **[MISCELLANEOUS DOCUMENTS]**. The following summary is from Witness [redacted]' interview with OSS Detectives.

Witness [redacted] was at [redacted], when the deputies arrived. She had been living at the location since July 2019. When the deputies arrived, she was asleep in her bedroom with the door shut and locked. She was occupying a bedroom on the south side of the house at the end of the hallway. She was awoken by someone announcing the police were outside. She believed she heard the voice from the living room area, but she did not open her bedroom door.

She then heard a gunshot and believed the bullet came through her door. She ducked and heard "Snapper" say, "Why you guys shooting?" She then heard "Snapper" run away. Approximately one minute after the first gunshot, she heard another one, but that one did not go through her door.

After "Snapper" ran, the deputies stepped out of the house and she exited her bedroom to check on Witness [redacted]. She stayed in Witness [redacted]'s bedroom until she was called out of the house by deputies.

She had never seen "Snapper" with a gun. "Snapper" does not live at the residence, but is there frequently. She also said "Snapper" is from the gang, "Brown Familia."

Witness [redacted]

On October 23, 2019, at 1539 hours, Witness [redacted] was interviewed by IAB investigators in the Palmdale Station Jail. She was also interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #18B]** on the same day. Witness [redacted] had been arrested for an outstanding warrant at the conclusion of the incident.

Witness [redacted] was at [redacted], when the deputies arrived. She had been living at the location for about a week and a half. The [redacted], Witness [redacted] was disabled and unable to get out of bed.

Witness [redacted] was asleep in her bedroom when the deputies arrived. Her bedroom was on the west side, near the garage. She was awoken by the sound of a "pop" which sounded like a firecracker. She got out of bed and looked out her bedroom door. She did not see anything except smoke. She thought someone threw a smoke bomb.

She heard yelling, followed by silence. She went to check on Witness [redacted], and the deputies ordered her and the other people inside, to step out. Witness [redacted] was familiar with "Snapper," but did not know his real name. "Snapper" was Witness [redacted]' friend, but he does not live at the location. He came by the house a couple times that week. She did not know if he was in the house when the deputies arrived.

Witness [redacted]

On October 23, 2019, at 1619 hours, Witness [redacted] was interviewed by IAB investigators in the Palmdale Station Jail. He was also interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #19B]** on the same day. Witness [redacted] had been arrested for a violation of probation at the conclusion of the incident.

Witness [redacted] was at [redacted], when the deputies arrived. He had been living at the location for two weeks. He was in the back bedroom when he heard knocking at the front door. He heard commands being yelled, but he did not know what

was said. He heard some loud noises and then saw his friend (Snapper) run through the room and into the backyard. "Snapper" ran back inside, then back outside. When "Snapper" ran through the room the second time, he closed the bedroom door and went out the exterior door. Witness [redacted] did not see if "Snapper" had anything in his hands.

He described "Snapper" as having tattoos on his head. He said "Snapper" was from the gang, "Brown Family." He was not aware of "Snapper" ever carrying a gun. After "Snapper" ran outside the last time, other roommates came into the room and stood there until they were called out of the house by deputies. Witness [redacted] was not aware deputies were at the location until he was called out of the room.

Witness [redacted]

On October 23, 2019, at 1932 hours, Witness [redacted] was interviewed by IAB investigators at Palmdale Regional Hospital. He was also interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #20B]** on the same day. Witness [redacted] had been transported to the hospital by ambulance for medical reasons.

Witness [redacted] was the [redacted] of the house at [redacted]. He was bedridden and was at the location when the deputies arrived. He was in the master bedroom on the south east corner of the residence. He was unaware of who was inside the house when the deputies arrived because people come and go.

He was made aware the deputies were at his house when he heard a knock on the front door. He also heard a strong voice say they were associated with the Sheriff's Department. That was followed by a scuffle and the sound of footsteps running. He then heard one gunshot which he described as being from a .22 caliber gun. After the gunshot, he heard a scuffle at his bedroom door, then the door burst open. He said a guy named "Eric" was at the door. He described "Eric" as having tattoos on his head. "Eric" also goes by the nickname of "Snapper." He said, "Snapper" appeared to be trying to get away. He ran through the room and out the backdoor. Witness [redacted] did not see anything in "Snapper's" hands. "Snapper" had been staying at the location since the beginning of October 2019.

Witness [redacted]

On October 23, 2019, at 1125 hours, Witness [redacted] was interviewed by Palmdale Station Sergeant, Philip Anderson **[INTERVIEW TRANSCRIPT #21]**. Witness [redacted] was the driver of the vehicle which Suspect McClure attempted to steal.

Witness [redacted] was stopped at the intersection of 25th Street East and Avenue R. Suspect McClure ran up and got into the front passenger seat of his vehicle and immediately told him to drive away. Witness [redacted] saw Suspect McClure holding the door closed so the deputies could not open it.

Other deputies came to the driver's side and had Witness [redacted] exit the vehicle. As he exited, he saw a deputy fire a Taser at Suspect McClure from the driver's side. Witness [redacted] heard Suspect McClure yell and also heard the sound of the Taser popping.

Witness [redacted] then saw Suspect McClure fall from the vehicle and the deputies put him on the ground. He could not see anything else because he was on the opposite side of the vehicle.

SUSPECT STATEMENTS:

On October 23, 2019, at 1634 hours, Suspect McClure was interviewed by IAB investigators in the Palmdale Station jail. He was also interviewed by OSS Detectives **[INTERVIEW TRANSCRIPT #22B]** on the same day.

Suspect McClure said he was currently a transient. He was from "Brown Familia" and goes by the name "Snapper." That day, he was at [redacted], which was a [redacted] house. He had been staying there off and on for a couple of weeks. He heard a commotion in the living room and became aware it was the police. He ran into the backyard and saw there were "cops" over the fence in the front. The "cop" said, "freeze, freeze, freeze," and he went to another fence and saw more cops, so he ran back into the house. He had his cell phone in his hand and ran through the hallway, into a bathroom. When he was running through the hallway into the bathroom, he heard a gunshot.

He shut the bathroom door and a female named [redacted] (Witness [redacted]) was inside. She asked to be let out of the bathroom and he opened the door. He heard the deputies giving orders, "Let me see your hands. Let me see your hands." The deputies gave him orders to come out of the bathroom. He shut the door again because he knew he had a warrant for absconding parole. He opened the door, stuck his hands out, and told the deputies he did not have any weapons. He asked them why they were shooting live rounds.

He was scared and ran toward the back of the house. He went into Witness [redacted]'s room, shut the bedroom door, and locked it. He then ran out into the backyard. He hopped over several backyard fences where a deputy shot at him with a Taser. The Taser missed and he jumped a fence into the front yard of a house on 26th Street East. He saw deputies in the front yard and they began to chase him. He ran onto Avenue R going westbound. As he got to 25th Street East, he was scared because the deputies had shot at him and he did not have a weapon. He saw a vehicle and asked to get inside, but the driver did not allow him in.

He saw another car in the turn lane and thought if he got in the car with a regular person, the deputies would not shoot. He jumped into the car and pleaded with the driver to drive away because he was scared for his life. He saw a deputy at the window

with his gun out and Suspect McClure was holding the car door shut. The deputy yelled orders, but he did not pay attention to the deputy. The driver put the vehicle in park and Witness McClure's hand hit the gear shifter, which put the vehicle back into gear. The deputy then opened the door.

A deputy shot a Taser at him from the driver's side of the vehicle because the driver's door was open. After the Taser hit him on the left side of his body, he began to fall from the vehicle. The deputies grabbed him and slammed him to the ground outside the vehicle. He hit the ground with his right shoulder and was rolled onto his stomach. He saw a detective he described as a white male, wearing a white shirt, with tattoos. The detective slammed him on the right side of his head with his foot. He said his left hand was pinned underneath him because the deputies were on top of him. The deputies yelled something about a gun. He was kicked and socked in the ribs and head. The deputies gave him orders to give up his hands. They rolled him onto his side and put the handcuffs on tight. He said he passed out (lost consciousness) for a second. When he regained consciousness, the deputies told him to calm down. He attempted to get up and they told him to lay back down.

He was taken by ambulance to Palmdale Regional Hospital. The deputies wanted to transport him to the hospital in a police car, but his blood pressure was too high so the ambulance took him.

MISCELLANEOUS SECTION:

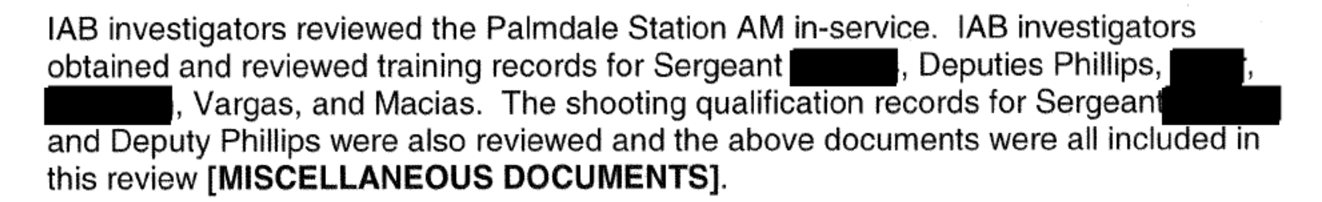
IAB investigators responded to Palmdale Station and participated in a walk-through of the incident conducted by Palmdale Station OSS investigators. IAB investigators canvassed for witnesses on Jeri Lane, however, none were found. IAB investigators also canvassed for possible video; however, no video was found.

IAB investigators retrieved reports **[EXHIBIT A]** written by personnel on-scene, and interviewed Suspect McClure and witnesses who were inside the location at the time of the shooting.

IAB investigators noticed the intersection of Avenue R and 25th Street East, had what appeared to be traffic cameras mounted to the light signals. IAB investigators contacted the city of Palmdale Safety Department. Public Safety Supervisor, Kery German, advised the cameras do not record and are only used for live monitoring of traffic.

IAB investigators reviewed the Taser download documentation for Deputy Phillips' and Deputy [redacted]'s Tasers **[MISCELLANEOUS DOCUMENTS]**. Investigators noticed the Taser download from Deputy Phillips' Taser did not reflect a Taser activation on October 23, 2019. IAB investigators contacted Sergeant Timothy Klement, #[redacted], from Custody Force Training. Sergeant Klement was currently a master Taser instructor and had been involved in the Los Angeles County Sheriff's Department Taser program since its inception in 2000.

Sergeant Klement examined the documentation from Deputy Phillips' Taser. The X-26 model Taser used by Deputy Phillips was intended to be in service for five years. The Taser was put into service in 2011, making it roughly three years past its intended life span. The documentation showed a possible connection issue between the battery compartment and the Taser itself. This is indicative by the dates on the document being inconsistent. When the Taser loses connection with the battery, the date will default to December 31, 1999. On line 91 of the Taser activation document, the Taser defaulted to that date, and the battery percentage went from 62% to 99%. It is likely a new battery was placed in the Taser at that time. Line 97 reflects the Taser activation from October 23, 2019, even though the date shows September 15, 2000. Line 98 shows the Taser was plugged into a computer for the download, at which time the Taser was reset to the proper date by the computer. Sergeant Klement explained these anomalies are common when using Tasers of this age.



IAB investigators reviewed the Palmdale Station AM in-service. IAB investigators obtained and reviewed training records for Sergeant [redacted], Deputies Phillips, [redacted], [redacted], Vargas, and Macias. The shooting qualification records for Sergeant [redacted] and Deputy Phillips were also reviewed and the above documents were all included in this review **[MISCELLANEOUS DOCUMENTS]**.